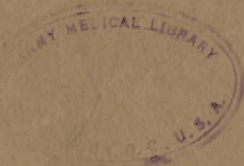


WA
32
AS6
L4p
1944

Public Health Laws of South Carolina



1944



STATE HEALTH DEPARTMENT
Columbia, S. C.

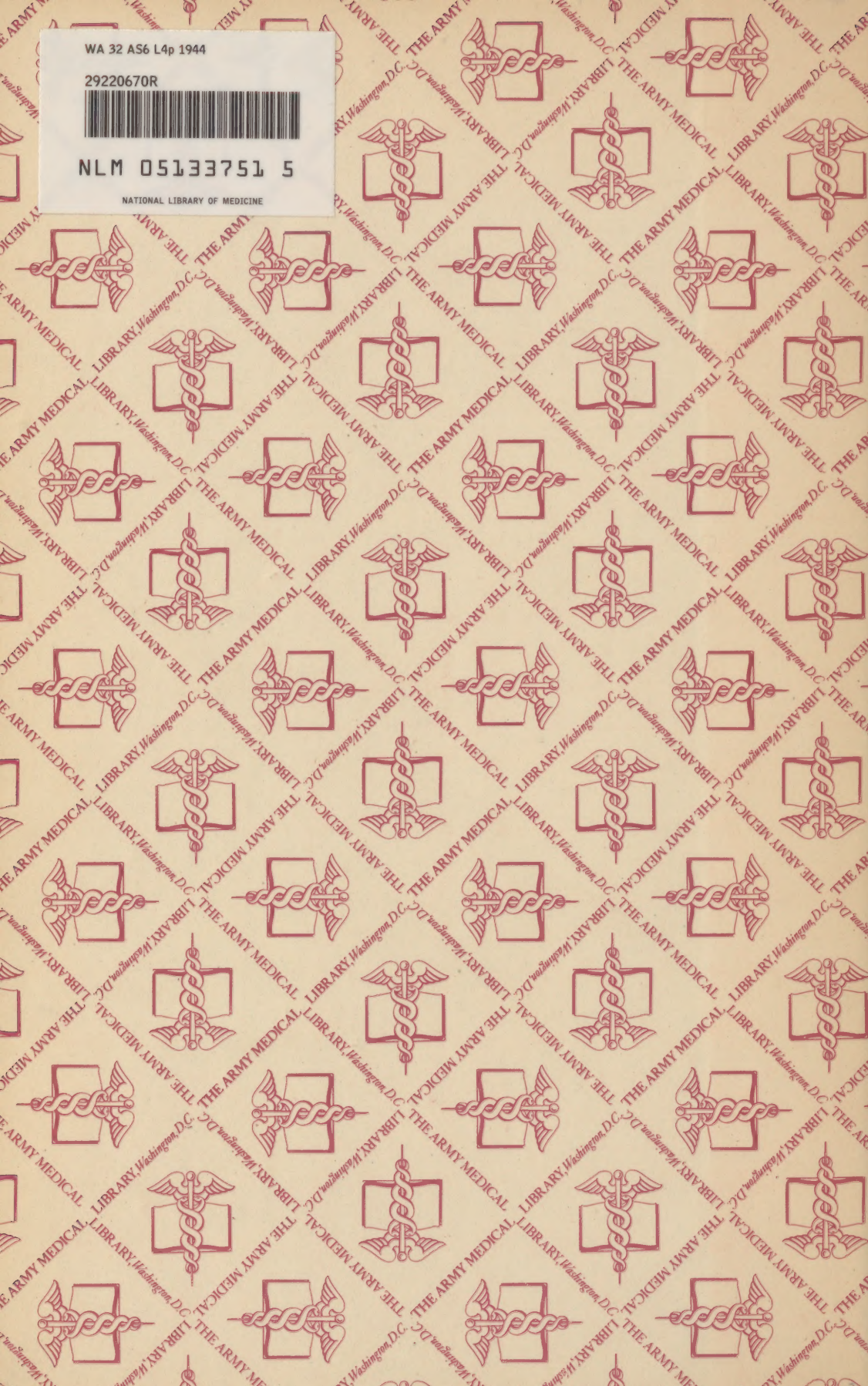
WA 32 AS6 L4p 1944

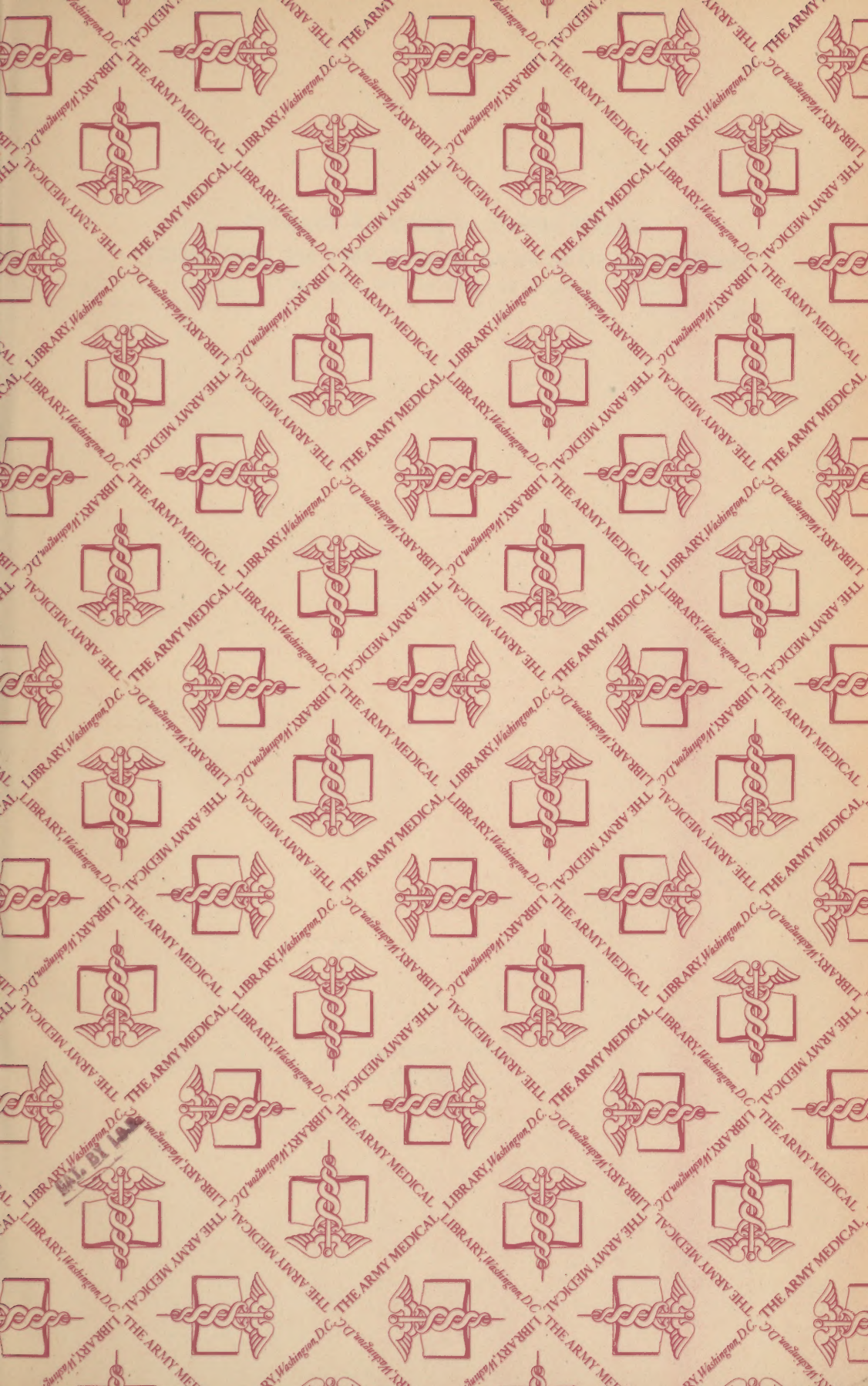
29220670R



NLM 05133751 5

NATIONAL LIBRARY OF MEDICINE





Sections Relating to Public Health
Taken from the 1942 Code of Laws of South Carolina
(Copyright 1942 by State of South Carolina)

JACOBS PRESS
CLINTON, S. C.

1944

Doc
WA
32
ASG
L4P
1944

Film no. 2566, no. 1



Table of Contents

	PAGE
PREFACE	1
2118-3. Rules and Regulations adopted pursuant to general and permanent laws	3
3094. Officers Governor appoint	4
3204. Direction for expenditure of amount for expense of health department	4
3247. Commissioner and state board of health provide for educational exhibits at county fairs—state board of health	4
3248. Demonstrators in charge of such exhibits provided	5
3249. Commissioner may detail demonstrators—expenditure of funds	5
3424. Inoculate dogs for rabies	5
3425. Anti-Rabies inoculation of dogs, Greenville county	6
3622-1. Record statistical data regarding births of certain citizens over age of 23 years	7
4997. State board of health—personnel	8
4998. Rights and duties—in general	8
4999. Executive committee—appointment and duties	8
5000. Committee—how to organize—registrar general—control over local boards, etc.	8
5001. Make certain investigations and inspections	9
5002. Promulgate and enforce rules for public health	9
RULES AND REGULATIONS—Bus Stations	10
Camps	11
Communicable Diseases	12
Industrial Plants	16
Jails and other penal plants	18
Meat Markets	19
Canneries	19
Handling of Shellfish in shell only	21
Oyster shucking houses	22
Cooked Crabmeat, Lobster and Shrimp	23
Control of Mosquito Production in Impounded Waters	25
Schools	27
Miscellaneous Regulations	27
Nuisances Defined	27
Swimming Pools	28
Railroads	31
Water and Ice Supplies	33
Cleaning and Disinfecting Cars	34
Cars in Service	34
Railway Stations	35
Construction Camps	37
Fairs, Camp Meetings and other gatherings	38
Midwives	38
Slaughter Houses	39
5002-1. Penalties violate rules of board of health	40
5003. State board supervise, establish and control quarantine	41
5004. State board order and enforce vaccination or quarantine	41
5005. State board cooperate with federal government in protecting livestock industry—regulations	41
5006. State board supervise local boards of health	41
5007. Execute committee of state board recommend, etc., for registration of vital statistics	42
5008. State board promote prevention and care of cancer	42
5009. Sterilize certain inmates of penal or charitable institutions	42
5010. State health officer appointment—bond—oath—term—salary	45
5011. Duties and powers—health and peace officers assist	45
5012. Powers of state board as to railway and navigation companies	45
5013. Health officer advise municipal authorities	46
5014. Health officer secretary of state board—duties	46
5015. Boards of health in cities and towns—appointment—term	46
5016. Oath—organization—salary—bond—fees	47
5017. Rules and regulations—hospitals	47
5018. Physicians—appointment—salary—duties	47
5019. Powers of board	48

§ 5020.	Inspection of court house, jails, etc.—duty of physician attending prisoners	48
§ 5021.	Inspection of schools, etc.—water supply, etc.—schools closed during epidemic	48
§ 5022.	Meetings of board—force and effect of rules, etc.—penalties	49
§ 5023.	Estimate of expenses—report—communications with state board	50
§ 5024.	Duties of boards	50
§ 5025.	Powers as to removal or abatement of nuisance, etc.	51
§ 5026.	Annual and other reports to executive committee—what to contain, etc.	51
§ 5027.	Municipal corporations maintain boards of health	51
§ 5027-1.	Duties of local boards of health as to quarantine	51
§ 5028.	Duty of attending physician	52
§ 5028-1.	Local boards of health—quarantine	52
§ 5029.	Boards of health in unincorporated towns not less than 100	52
§ 5030.	Powers of local boards of health outside of incorporated towns	53
§ 5031.	Physicians and local boards report cases of contagious or infectious diseases	53
§ 5032.	School authorities prevent spread of contagious or infectious diseases	54
§ 5033.	Persons with infectious diseases prohibited from teaching in public schools	54
§ 5034.	School teachers secure health certificates	54
§ 5035.	Form of certificate	54
§ 5036.	Penalties violate §§ 5044, 5045, and 5046	54
§ 5037.	Municipalities pass ordinances for vaccination	55
§ 5038.	State board have general supervision	55
§ 5039.	State board pass rules on neglect of municipalities	55
§ 5040.	School pupils to be vaccinated	56
§ 5041.	Parents, etc., to see that children are vaccinated	56
§ 5042.	Violation of compulsory vaccination law a misdemeanor	56
§ 5043.	Report infants with diseased eyes	56
§ 5043-1.	Instill in eyes of baby within one hour after birth prophylactic prevent blindness	56
§ 5044.	Venereal diseases contagious	57
§ 5044-1.	Report cases	57
§ 5044-2.	Examination—treatment—isolation	57
§ 5044-3.	Examination of prisoners	57
§ 5044-4.	State board make rules	57
§ 5044-5.	Penalties violate venereal disease statute (§§5044 to 5044-5)—treatment of persons convicted—inspectors and coordinators	58
	REGULATIONS ON VENEREAL DISEASES	58
§ 5045.	Accommodations for prisoners with tuberculosis	60
§ 5046.	Transportation of dead bodies of contagious or infectious disease	61
§ 5046-1.	Burying or burning of all dead animals and poultry required	61
§ 5047.	Analysis required of public and certain other water supplies	62
§ 5048.	Fee for bacteriological examination	62
§ 5049.	State board inspect water sheds and examine public water supplies	62
§ 5049-1.	Penalties violate §§ 5047 thru 5049-1	62
§ 5050.	Privies	63
	REGULATIONS ON PIT PRIVIES	64
	Wells and springs	65
§ 5051.	Sanitary closets in mill villages	65
§ 5052.	Textile manufacturers to install sewerage systems	66
§ 5052-1.	Property owners provide their premises with suitable garbage containers in certain cities of 2,700 to 3,500	67
§ 5053.	Provide adequate sewerage, running water, streets and roads before selling lots in real estate developments in counties with city over 70,000	67
§ 5055-1.	Anderson County board of health	68
§ 5055-3.	File vital statistics reports with county health department. Berkeley County	69
§ 5055-7.	County health board of Charleston County. (1) Appointment—terms—vacancy	69
§ 5055-9.	Cherokee County board of health	71
§ 5055-12.	Health Department Darlington County	73
§ 5056-3.	Dorchester County board of health	73
§ 5056-5.	Florence County board of health	75
§ 5056-6.	Installation of septic tanks and plumbing, disposal of garbage and artificial containers, water supply, Pawley's Island and certain vicinity thereof, and marsh lands in Georgetown County—enforcement	77

5056-7.	Greenville County health officer	78
5056-8.	License handle garbage, Greenville County	79
5056-9.	Venereal clinic, Greenville County	80
5056-10.	Owners of certain property connect with sewer lines and install necessary fixtures, Greenville County	81
5056-11.	Not pollute water supply of Greenville	81
5056-13.	Additional tax care for indigent patients at Camden hospital, Ker- shaw County	82
5057.	Newberry County board of health	82
5057-2.	License handle garbage, Richland County	84
5057-3.	Spartanburg County board of health	84
5057-4.	Free venereal clinic Spartanburg County	86
	REGULATIONS ON SEPTIC TANKS	86
	REGULATIONS ON SEWER SYSTEMS	86
	REGULATIONS ON WATER SUPPLY PLANTS	87
5057-11.	Definitions (Bedding)	90
5057-12.	Liability of principals and agents	91
5057-13.	Material not use in bedding—"shoddy" defined	91
5057-14.	Not sell bedding used by or about person having infectious or con- tagious disease	91
5057-15.	Sterilize and disinfect material use remake or renovate bedding— sale of used bedding	91
5057-16.	Label or tag bedding for sale—exemptions—bedding fund—duties and powers of state board of health	91
5057-17.	Defacement or alteration of label or tag on bedding	93
5057-18.	State board of health supervise and inspect manufacture and sale of bedding—prosecute violations	93
5057-19.	Powers of officers inspecting bedding	93
5057-20.	Enforcement	93
5057-21.	Penalties	94
5057-22.	Exemptions	94
	REGULATIONS ON BEDDING	94
5058.	Port of Charleston, administration of quarantine—quarantine officer— appointment—term—salary	95
5059.	Supervision and control of port of Georgetown—quarantine officer— appointment—term—salary	95
5060.	Administration of quarantine at port of Beaufort	96
5061.	Lazaretto in Charleston harbor	96
5062.	Station of quarantine officer in Charleston harbor	96
5063.	Anchorage ground for vessels	96
5064.	Vessels subject to quarantine—regulations—detention—pratique	97
5065.	Vessels at quarantine on first of November	97
5066.	Infected and foreign vessels arriving after first of November—passen- gers to be vaccinated	97
5067.	Vessels at wharves with passengers and cargo may be ordered to quar- antine ground	97
5068.	Vessels bound north, after examination, may pass on their voyage	98
5069.	Vessels released from quarantine to deliver permit to city authorities	98
5070.	Vessels arriving at quarantine may return to sea	98
5071.	Pilots to ascertain whether incoming vessels are subject to examination	98
5072.	Pilots to notify vessels subject to examination to proceed to quarantine anchorage	98
5073.	Duties of pilots relative to vessels under their charge and subject to quarantine	99
5074.	Duty of quarantine officer to board vessel and report to municipal au- thorities	99
5075.	Quarantine officer to reside near quarantine grounds—powers	99
5076.	Quarantine officer may direct arrest of person eloping or violating quarantine	100
5077.	Quarantine vessels distinguished	100
5078.	Boats passing through range of quarantine vessels or landing at quar- antine ground forbidden	100
5079.	Lighters not to unload quarantined vessels	100
5080.	Passengers to be maintained by master of vessel during quarantine	100
5081.	Criminal passengers may be confined on shores—expense of mainte- nance defrayed by vessel	100
5082.	Appeal from quarantine officer to board of appeal	101
5083.	Appeal—how made and prosecuted	101
5084.	Health officer may enforce orders—expense to be a lien on vessel	101

5085.	Sanitary inspectors—when and by whom appointed	101
5086.	Duty and powers of sanitary inspectors	102
5087.	Appropriation to pay expenses	102
5088.	Governor may by proclamation, declare place infected, etc.	102
5089.	When effect of proclamation of infection to cease—how time extended	102
5090.	Vessels from infected places subject to quarantine	102
5091.	“Quarantine officer” to mean quarantine officer or his deputies—must be physicians	102
5092.	When quarantine officer may employ force	103
5093.	May fire upon vessel violating laws	103
5094.	Boats and armed men may be employed by the Governor to enforce laws	103
5095.	Harbor commission of Charleston harbor—authority	103
5096.	Quarantine charges	103
5097.	Definitions—Hotels and Restaurants	104
5098.	Hotels to post rates	104
5099.	Fire extinguishers to be provided	104
5100.	Stairways—fire escapes	104
5101.	Directions for reaching fire escapes	105
5102.	Exits from inside courts	105
5103.	Water closets—washroom	105
5104.	Privies	105
5105.	Cisterns and tanks	105
5106.	Analysis of water	106
5107.	Fly screens	106
5108.	Bedding	106
5109.	Bedding to be clean and free of vermin	106
5110.	Fumigation and airing of rooms	106
5111.	Towels and soap	106
5112.	Refrigerators—kitchens	106
5113.	Dishes—utensils	107
5114.	Disposal of garbage	107
5115.	Premises sanitary	107
5116.	Inspection—fees	107
5117.	Reports of inspectors	107
5118.	Powers of inspectors	107
5119.	Score cards	108
5120.	Physical examination of employees	108
5121.	Compliance with requirements	108
5122.	Violation a misdemeanor—penalties—each day a separate offense	108
5123.	Inspector to swear out warrants	108
	REGULATIONS ON HOTELS	108
	Restaurants	112
5123-1.	License operate.—Tourist Camps and Road Houses	115
5123-2.	Application for license	116
5123-3.	Issuance of license	116
5123-4.	Revoke license	116
5123-5.	License fee	116
5123-6.	Law enforcing officers inform as to issuing or revoking license	116
5123-7.	Penalties—counties exempted	116
	REGULATIONS ON TRAILER CAMPS, PARKS AND LOTS	116
5124.	State board of health inspect and investigate food, drugs, liquors	118
5125.	Board publish exempted articles, determine variabilities	118
5126.	Persons offering such articles for sale furnish samples for analysis	118
5127.	“Food” and “drug” defined	118
5128.	Adulterated articles—State board of health may declare certain articles exempt	118
5128-1.	Uniform Narcotic Drug Act	119
5128-2.	Acts prohibited	120
5128-3.	Manufacturers and wholesalers	120
5128-4.	Sale on written orders—use of official written orders—possession lawful	120
5128-5.	Sales by apothecaries	121
5128-6.	Professional use of narcotic drugs	122
5128-7.	Preparations exempted	122
5128-8.	Records to be kept	123
5128-9.	Labels	123
5128-10.	Authorized possession of narcotic drugs by individuals	124
5128-11.	Persons and corporations exempted	124

5128-12.	Common nuisances	124
5128-13.	Narcotic drugs to be delivered to state officials, etc.	124
5128-14.	Send notice of conviction to licensing board—suspend license— reinstatement	125
5128-15.	Records confidential	125
5128-16.	Fraud or deceit	125
5128-17.	Exceptions and exemptions not required to be negatived	126
5128-18.	Enforcement and cooperation	126
5128-19.	Penalties	126
5128-20.	Effect of acquittal or conviction under federal narcotic laws	126
5128-21.	Interpretation—uniform narcotic drug law	128
5128-25.	Sale, barter, exchange, giving or possessing of barbiturates	127
5128-26.	Distribution and sale of dangerous caustic or corrosive substances	128
5128-27.	Manufacture or sell impure food or drugs prohibited	129
	Rules and Regulations issued by Department of Agriculture	132
5128-28.	Arsenate of lead, calcium arsenate, or poisonous agricultural insecticide or fungicide of a white color to be discolored	132
5129.	Purchasers of milk or cream on butter-fat basis retain sample— inspection—penalties	133
5129-1.	Manufacture and sale of ice cream and other milk products	134
5129-2.	Sale of milk, butter and cheese	137
5129-3.	Coloring matter in substitutes for butter or cheese prohibited	137
5129-4.	Combinations of certain ingredients with butter or cheese prohibited	137
5129-5.	When manufacture and sale of imitation butter or cheese prohibited	138
5129-6.	Substitutes to be so marked	138
5129-7.	Possession of unmarked imitations prohibited	138
5129-8.	Sale of imitation butter or cheese prohibited	138
5129-9.	Hotels and restaurants using imitations to advertise the same	138
5129-10.	Certificate of analysis prima facie evidence	139
5129-11.	Use of bottles, kegs, etc., of others in trade	139
5129-12.	Traffic in milk cans or defacing marks thereon, unlawful	139
5129-13.	Secure bottles to retail dealers in milk. (1) Purpose	140
5129-14.	Unlawful to dispose of certain used milk bottles—acceptance of deposits	140
5129-15.	Additional provisions relating to use, sale, exchange and shipping of milk bottles, milk cans and milk bottle crates	140
	REGULATIONS ON MILK	141
5130.	Bureau of vital statistics	150
5131.	State registrar of vital statistics	150
5132.	Registration districts	150
5133.	Local registrar—compensation	150
5134.	State registrar to furnish copy of record—compensation	151
5135.	Penalties	151
	REGULATIONS ON VITAL STATISTICS	151
6726-1.	Misdemeanor to violate quarantine regulations	156
6726-2.	Masters of vessels neglecting or refusing to obey certain regulations	156
6726-3.	Masters of vessels giving false information to pilots, etc.	157
6726-4.	Penalty for landing vessel or unloading, etc.	157
6726-5.	Penalty for violating quarantine laws or disobeying health officers	157
6726-6.	Penalty for pilot or other person for violating the quarantine laws	157
6726-7.	Fines and forfeitures—how recovered	157
7234.	Regulate hotels, cafes, etc.	158
7442.	Powers of council—borrow	158

PREFACE

In 1942 the state board of health employed me to codify its rules and regulations and to publish them along with the applicable statutes. The redrafted and readopted rules were filed with the secretary of state and the code commissioner in accordance with section 2118-3 of the Code of Laws of 1942 and appeared with reasonable accuracy in the Acts and Joint Resolutions of 1942, but later when they appeared in the Code they were so shot through with errors that they were worse than useless in the field and for citation in court. They are here reprinted in correct form in order to appear in the Code Supplements and eventually to reappear in the Code. The executive committee of the board of health has adopted again the regulations with a few additions, but has not designated them to supersede all heretofore promulgated, as was done with those filed on April 24, 1942. Therefore the additions date from the 1944 filing, but provisions readopted date from April, 1942; so where they were to become effective at a time subsequent to adoption that time began to run then, for instance the requirement in section 7 item 1r of the milk regulations that milk shall be from cows free from Bang's disease five years after adoption will become effective on April 24, 1947. What is necessary is to check each regulation with the Acts and Joint Resolutions of 1942. If it appears there it became effective on April 24, 1942; if not it became effective on February 17, 1944.

The "Public Health Laws" heretofore printed from a holding of the type of that part of the Code of Laws of 1942 is worth no more than the paper on which it is printed and were it not for the current paper shortage it would be recommended that the whole issue be consigned to the flames; but as it is the board of health is advised to dispose of the mess as waste. A smart Frenchman said, "*Qui s'excuse s'accuse.*" Whoever excuses himself accuses himself. No *alibis*. However, I was not allowed to read proof before the regulations appeared in the Code of Laws of 1942 and never saw them after they were filed with the secretary of state and the code commissioner. A few errors appear there but nothing vital. I will not shoulder responsibility for that part of the enormity of the Code.

The collection of these Code sections shows up the chaotic results of the habit of county legislative delegations passing local Acts on subjects which should be in state-wide Acts only. For instance, the Greenville and Richland legislators without the recommendation of any legislative committee enacted sections 5056-8 and 5057-2 in the face of the constitutional provision against special or local Acts when a state-wide act can be enacted. Under section 5057-2 the board of health tried to stop the fattening of about 18,000 hogs on camp garbage in a populous neighborhood and the court of course held the Act unconstitutional. There should have been a state-wide Act on the disposal of garbage under which the board could have abated this intolerable nuisance instead of passing it on to the taxpayers. Practically every one of the local Code sections has the same infirmity and are therefore useless when carried to court.

Then there are inconsistencies. For example, by section 5125-27 the enforcement of section 5129-2 with reference to milk products is placed under the department of agriculture. This was evidently done when the legislature was unconsciously cooperating in the anti-southern congress-

sional campaign to outlaw the use of margarine. And then in section 5116 the fees provided for the inspection of hotels should have been repealed when hotel inspection was placed under the board of health. These should be repealed along with many others. In fact, the legislature is going to be given the opportunity to repeal the bad and enact many useful statutes and thus enact an effective public health code for the state.

James H. Fowles.

Columbia, S. C., February 17, 1944.

SECTIONS OF CODE OF LAWS OF 1942

§ 2118-3. Rules and regulations adopted pursuant to general and permanent laws.

(1) Not become effective until certified and filed.—Number each separately.—All rules and regulations adopted by any officer, board, commission, or agency, when authorized to adopt rules and regulations by any general and permanent law of the State of South Carolina, shall become effective only after such rules and regulations shall have been properly certified to by the officer or agency adopting same, and have been filed in the office of the secretary of state. The secretary of state, on receipt of such rules and regulations, shall note on them date filed in his office, and permit the public to inspect them. Each such rule and regulation shall be numbered separately.

(2) Filing of such rules and regulations heretofore adopted.—Furnish copies to code commissioner.—The officer or agency adopting such rules and regulations shall at the same time a certified copy of such rules and regulations is filed in the office of the secretary of state send two copies of such certified copy to the code commissioner. All such rules and regulations adopted prior to the approval of this section and not filed in secretary of state's office shall be filed as hereinabove provided within thirty days after the approval of this section in the office of the secretary of state; otherwise such existing rules and regulations shall not be effective until filed in above manner. *Provided*, that all such rules and regulations, heretofore filed in secretary of state's office need not be refiled, but such rules and regulations shall be considered as complying with the terms of this section by the secretary of state placing on them March 26, 1937. *Provided, further*, that the officer or agency issuing such rules and regulations heretofore filed shall furnish the code commissioner two certified copies of same. Such rules and regulations when filed as hereinabove provided shall be effective until they are amended or repealed by the officer or agency filing them or by acts of the General Assembly.

(3) Include such rules and regulations in the Acts and codes of laws—Duties of code commissioner—Payment of expenses.—The code commissioner shall include in the acts of each regular session of the General Assembly all such rules and regulations filed as hereinabove provided, and not theretofore published in the acts of a preceding regular session. The code commissioner shall put such rules and regulations in the acts after all acts to be included therein are inserted and he shall include in the index to such acts references to such rules and regulations therein included. When such rules and regulations are published, the code commissioner shall give with each rule and regulation, or group of same, the section number in the code, if such rules and regulations are issued pursuant to any section in the code; and if such rules and regulations are issued pursuant to an act adopted since the code, then he shall give the volume number and page number of the acts in which said act may be found. Each such rule and regulation, or group of same, published in the acts shall show the date filed in office of the secretary of state. The code commissioner shall include in the Codes of Laws of South Carolina under each law authorizing such rules and regulations all such rules and regulations in effect at the time such code is printed. The style of type and make-up of such rules and regulations in the acts and codes

shall be as the code commissioner may determine. The annual state appropriation law shall provide for paying expenses for such work to be done same include pay for code commissioner for extra duties and work devolved on him hereunder, clerical help, office equipment and supplies, etc.
1937 (40) 174.

§ 3094. Officers Governor appoint.—The following officers shall be appointed by the Governor.

Any vacancy in an office of the executive department, occurring during a recess of the General Assembly. The term of such appointment to be until the vacancy be filled by a general election, or by the General Assembly, in the mode provided by law.

Any vacancy in a county office, by reason of death, resignation, refusal, or neglect to qualify, of the person elected or appointed thereto, expiration of the term of office, or any other cause. The person so appointed to hold office, in all cases in which the office is elective, until the next general election and until his successor shall qualify; and in cases of offices which are originally filled by appointment and not by election, until the adjournment of the session of the General Assembly next after such vacancy has occurred. The Governor may remove for cause any person so appointed by him to fill such vacancy.

1878 (16) 716.

Four commissioners for the South Carolina Institute for the Education of the Deaf, Dumb and Blind.

1878 (16) 707.

Seven members of the state board of health, to be recommended by the State Medical Association.

1878 (16) 729.

One quarantine officer for St. Helena entrance, and one for Port Royal entrance, at the Port of Beaufort, on the nomination of the township board of health of Beaufort township.

1891 (20) 1252.

One quarantine officer for the Port of Charleston on the nomination of the board of health of the city of Charleston.

1884 (18) 691.

One quarantine officer for the Port of Georgetown upon the recommendation of the state board of health.

1884 (18) 691.

§ 3204. Direction for expenditure of amount for expense of health department.—The amounts specified for various expenses in connection with the health department shall be expended under the direction of the state board of health. The appropriation for carrying out the quarantine laws shall be expended under the supervision and by the consent of the Governor: *provided*, that the Governor is authorized, in case of emergencies demanding it, to borrow seven thousand dollars additional.

1932 Code, § 3204; Civ. C. '22, § 901; Civ. C. '12, § 821; 1909 (26) 283.

§ 3247. Commissioner and state board of health provide for educational exhibits at county fairs—state board of health.—The state commissioner of agriculture, who is the authorized custodian of the state exhibit property, and the state board of health, are hereby authorized and required, whenever application is made to either, or both, by the officials of county fairs held in the State, and upon the guarantee by such officials of all expenses connected with the undertaking, to prepare and send to such fairs exhibits of such educational character as will be instructive and beneficial to the people attending said fairs.

1932 Code, § 3247; Civ. C. '22, § 953; 1915 (29) 93; 1936 (39) 1615; 1941 (42) 119.

§ 3248. Demonstrators in charge of such exhibits provided.—The commissioner of agriculture, and the state board of health, are further authorized and required to send in charge of these exhibits demonstrators competent to fully explain to visitors at the fairs the educational value of said exhibits.

1932 Code, § 3248; Civ. C. '22, § 954; 1915 (29) 93; 1936 (39) 1615; 1941 (42) 119.

§ 3249. Commissioner may detail demonstrators—expenditure of funds.—The commissioner of agriculture, and the state board of health, are authorized to detail necessary men to this service, though they may be employed and paid for other purposes, and to expend such funds as may be at their command as it may be necessary to prepare and arrange the exhibits contemplated by the two preceding sections.

1932 Code, § 3249; Civ. C. '22, § 955; 1915 (29) 93; 1936 (39) 1615; 1941 (42) 119.

§ 3424. Inoculate dogs against rabies.

(1) **Annually—certificates.**—The owner, or the person having possession of any dog four (4) months or more of age shall annually on or before the first day of July have the same vaccinated or inoculated against rabies by a licensed veterinarian, physician, druggist, or other person designated by a governing board or any municipality or of any county. The person administering the vaccine or serum shall issue his certificate in triplicate, one for himself, one for the owner, and one for the county treasurer or tax collector, giving the name, age, breed, sex, and identifying marks of the dog and the date of the treatment. The certificate shall have written in ink or printed across its face the following inscription: "Warning! Inoculation is not a sure preventative against rabies. Take all precautions to protect your dog." *Provided*, that in Aiken County, the licensed veterinarian, physician, druggist, or other person authorized to perform the vaccination or inoculation shall be designated by the society for the prevention of cruelty to animals for Aiken County, and in case said society shall fail to designate him, the county commissioner shall do so; but the proper certificate of the inoculation and or vaccination of a dog by a licensed veterinarian of said county shall be accepted. All charges and fees charged and received for such inoculation and or vaccination shall be turned over to and used by the society for the prevention of cruelty to animals of said county for the purpose of carrying on the work of inoculating and vaccinating dogs and preventing cruelty to animals, so long as it discharges the duties herein devolved upon it. *Provided*, that in the county of Pickens the health department of said county hereby is fully authorized and empowered to designate a person, or persons, to vaccinate, or inoculate, against rabies in said county.

(2) **Charge.**—The charge for inoculation or vaccination of a dog shall not exceed one (\$1.00) dollar, including cost of the serum and such charge shall be paid by the owner or person in possession of the dog and shall be in lieu of any tax now imposed by law on dogs. The county treasurer of those counties wherein a tax is levied on dogs is authorized and directed to give the taxpayer credit for the amount of the dog tax upon production of a certificate of inoculation, and the treasurer is himself authorized to take credit in his annual settlement for the aggregate amount of such rebates.

(3) **Allow dogs not inoculated run at large unlawful.**—It shall be unlawful for any person, having the possession and control of any dog which has not been inoculated, to allow it to run at large.

(4) **Vaccine.**—The vaccine used in the inoculation of dogs against rabies shall meet the standard fixed by the United States department of agriculture, bureau of animal industry.

(5) **Enforcement.**—All law enforcement officers, state, county and municipal, and all school trustees within their respective districts are hereby specifically charged with the enforcement of this section and are hereby invested with all necessary police powers to effectuate that purpose.

(6) **Penalty.**—Any person refusing to comply with the provisions of this section, or intentionally violating any of the provisions thereof shall be deemed and held guilty of a misdemeanor and on conviction shall be fined not more than ten (\$10.00) dollars or imprisoned not more than ten (10) days.

(7) **Legislative delegation suspend this section.**—The operation of this section may be suspended and shall stand suspended until otherwise ordered in any county within the State by and upon the filing with the clerk of the court of common pleas in said county, a written notice to that effect, signed by the State Senator and at least half of the members of the House of Representatives from such county, and the section may be made again operative in such county upon a like order so signed and filed rescinding the former order.

1935 (39) 462; 1936 (39) 1408, 1750; 1941 (42) 257.

§ 3425. Anti-rabies inoculation of dogs, Greenville County.

(1) **Inoculate dogs for rabies.—Time.**—Every person in the county of Greenville, in South Carolina game zone No. 1, who owns or possesses a dog, more than six (6) months of age, shall have said dog or dogs inoculated for rabies not later than December 31st of each year hereafter.

(2) **Enforcement.**—It shall be the duty of the game warden of the county of Greenville in game zone No. 1 to enforce the provisions of this section. And any dog not bearing sufficient evidence of inoculation or ownership shall be taken up by the game warden and retained by him for a period of thirty (30) days, during which time he shall use reasonable diligence to ascertain the owner of said dog. Should he fail to locate the owner, or should said owner fail or refuse to reclaim the dog and inoculate same, then it shall be the duty of the game warden to put any and all such dogs to death, in a manner determined by him as most humane.

(3) **Fee inoculate—tags for dogs.**—The owner or possessor of a dog, or dogs, shall pay a fee of not more than ninety (.90¢) cents for the inoculation of each dog. The game wardens of said county shall designate one or more suitable persons within his county to make such inoculations. The said game warden shall also supply the person, or persons, making the inoculations with such identification tags as he deems advisable. One of said tags shall be provided for each dog when inoculated.

(4) **Records—use of funds.**—The game warden of Greenville County shall keep a record of all funds paid out and received in carrying out the provisions of this section. For the purpose of enforcing the terms of this section, he shall have authority to expend as much as forty (40%) per cent. of the total amount received, the balance shall be deposited with the county treasurer and shall be expended in the county by the chief game wardens of the State for the protection and propagation of fish and game.

(5) **Penalties.**—Each and every person found guilty of owning or possessing a dog in violation of the provisions of this section shall be fined the sum of five (\$5.00) dollars or serve ten (10) days on the county chaingang. The failure or refusal to inoculate each individual dog, as herein provided, shall constitute a separate offense."

1939 (41) 486; 1941 (42) 224.

§ 3622-1. Record statistical data regarding births of certain citizens over age of 23 years.

(1) **Required.**—The clerk of court of general sessions and common pleas in each county in this State is hereby required to keep a record book for the entry and recording of statistical data concerning the birth of any citizen of this State over the age of twenty-three (23) years and has no official birth certificate on record in any county in this State.

(2) **Record book.**—The said record book shall have alphabetical family name indexes and shall have spaces for the entry of the following information: name, date of birth, name of father and mother and the age, if living, or if dead, the age at their respective death, nationality, racial extraction, and a memorandum of the method by which the registrant proved his birth date.

(3) **Citizens register.**—Any citizen of this State who has no official record of his birth may register these statistics with the clerk of court of general sessions and common pleas for the county in which he resides, but nothing contained herein shall make such registration compulsory, *provided*, that each such person so seeking to register such information, shall submit to said clerk of court adequate proof of the authenticity of his or her birth date, and said clerk shall make such memorandum in said record book reciting the nature and manner of proof submitted, together with statistical data called for by blank spaces in said record book as provided in subsection 2 hereof. *Provided*, that any individual who was born in the State of South Carolina and who has no official record of said birth, may register these statistics with the particular clerks of court of general sessions and common pleas for the county in which said individual was born.

(4) **Proofs of birth date.**—Any person who seeks to register, as provided for in this section, shall submit one or more of the following kinds of proof of his or her birth date and no other proof shall be considered sufficient:

(a) Original entry in a family Bible, and the said clerk shall satisfy himself that the entry is original and that the date of publication of the Bible precedes the date of the birth therein entered.

(b) Certificate or affidavit of a physician or a midwife who attended at the birth of the registrant. Such certificate or affidavit shall state the age of the person making same.

(c) Original or official record of any poll or road tax receipt given the registrant, or deed or mortgage executed by the registrant, and such tax receipt or deed or mortgage shall be construed (construed) only to prove the maximum age of such registrant.

(d) Official certified copy of birth certificate of such registrant issued by some city, county, State, territory, province or nation or some department thereof in which the registrant was born.

(e) Official church records of baptism, christening, confirmation or entry of membership in such church.

(f) Hospital or clinic records where registrant was delivered in such institution.

(g) School enrollment records which shall be construed to prove only the maximum age necessary for such enrollment.

(h) In any case where it is impossible for the registrant to procure any of the foregoing kinds of proof, the registrant may submit two or more original affidavits made by reputable individuals who are older than the registrant. Such affidavit shall be definite and positive in all respects.

(5) **Fee of clerk of court.**—The clerk of court shall charge and receive a fee of twenty-five (25c) for each registration made under the provisions of this section.

1939 (41) 157; 1940 (41) 1637; 1941 (42) 243.

§ 4997. State board of health.—personnel.—The South Carolina Medical Association and their successors, in their corporate capacity, together with the attorney general and comptroller general of the State, and their successors in office, are a board of health for the State of South Carolina, to be known as the state board of health.

1932 Code, § 4997; Civ. C. '22, § 2308; Civ. C. '12, § 1569; Civ. C. '02, § 1084; G. S. 911; R. S. 956; 1878 (16) 729, §§ 1, 2.

§ 4998. Rights and duties—in general.—Said board is invested with all the rights and charged with all the duties pertaining to organizations of like character, and shall be the sole advisor of the State in all questions involving the protection of the public health within its limits. The board shall make an annual report to the Legislature on all matters relating to its action. It shall be the duty of the state board of health, through its representatives, to investigate the causes, character and means of preventing such epidemic and endemic diseases as the State is liable to suffer from; the influence of climate, location and occupations, habits, drainage, scavenging, water supply, heating and ventilation; and shall make inspection annually, or oftener if necessary, of the sanitary condition of all institutions provided as state charities or supported at the public expense. They shall supervise and control the quarantine system of the State, and shall annually, or oftener if necessary, require reports from the health officer on such forms as may be prescribed in all matters pertaining to quarantine. They shall also be authorized to establish quarantine both by land and sea. This quarantine shall not be established except by the advice and consent of the Governor. The state board of health is required to make all Wasserman blood tests without charge as in case of other blood tests now provided for by law.

1932 Code, § 4998; Civ. C. '22, § 2309; Civ. C. '12, § 1570; Civ. C. '02, § 1085; G. S. 912; R. S. 957; 1878 (16) 729, § 3; 1892 (21) § 19; 1916 (29) 958.

§4999. Executive committee—appointment and duties.—The said association, at its first meeting after the first of January, 1893, and every seven years thereafter, shall elect seven members, to be recommended to the Governor, who shall appoint them to cooperate with the state officers above named, to constitute an executive committee, having power to act in the intervals of the meetings of the state board of health. This committee shall make, annually, a detailed report to the state board of health. Members of this committee shall be removable by and at the pleasure of the Governor, upon the request of the state board of health, or for neglect of duty, or other causes set forth by the majority of the members of the executive committee. Vacancies shall be filled by appointment by the Governor, on recommendation of the state board of health, or of the executive committee when such vacancies occur in the intervals of the meetings of the association.

1932 Code, § 4999; Civ. C. '22, § 2310; Civ. C. '12, § 1571; Civ. C. '02, § 1086; G. S. 913; R. S. 958; 1878 (16) 729, § 4.

§5000. Committee—how to organize—registrar general—control over local boards, etc.—The executive committee shall, immediately after their appointment, proceed to organize by electing a chairman and secretary, the latter to be ex officio registrar general of the State. They are authorized and empowered to divide the State into health districts, and in those districts in which no boards of health exist they are required to appoint sub-boards of health, which shall consist of two practicing physicians and one layman. Local boards of health, established as hereinafter provided,

shall be subject to the supervisory and advisory control of the state board of health, through its executive committee. They shall pass no ordinances, nor consider any such of force, which are repugnant to the rules and regulations of the state board of health.

1932 Code, § 5000; Civ. C. '22, § 2311; Civ. C. '12, § 1572; Civ. C. '02, § 1087; G. S. 914; R. S. 959; 1878 (16) 729, § 5; §1883 (18) 291; 1885 (19) 319; 1892 (21) 20.

§ 5001. Make certain investigations and inspections.—It shall be the duty of the state board of health, through its representatives, to investigate the causes, character and means of preventing such epidemic and endemic diseases as the State is liable to suffer from; the influence of climate, localities and occupations, habits, drainage, scavengering, water supply, heating and ventilation; and shall make inspections annually, or oftener if necessary, of the sanitary condition of all institutions provided as state charities or supported at the public expense.

1932 Code, § 5001; Civ. C. '22, § 2312; Civ. C. '12; § 1573; Civ. C. '02, § 1088; G. S. 915; R. S. 667; 1878 (16) 730.

§ 5002. Promulgate and enforce rules for public health.—The executive committee of the state board of health shall have the power to make, adopt, promulgate and enforce reasonable rules and regulations from time to time requiring and providing for the thorough sanitation and disinfection of all passenger cars, sleeping cars, steamboats, and other vehicles of transportation in this State, and also all convict camps, penitentiaries, jails, hotels, schools and other places used by or open to the public; to provide for the care, segregation, and isolation of persons having or suspected of having any communicable, contagious, or infectious disease; to regulate the methods of disposition of garbage or sewerage and any like refuse matter in or near any incorporated town, city, or unincorporated town or village of the State, and to abate obnoxious and offensive odors caused or produced by septic tank toilets by prosecution, injunction or otherwise; to provide for the thorough investigation and study of the causes of all diseases, epidemics and otherwise in this State, and the means for the prevention of contagious disease, and the publication and distribution of such information as may contribute to the preservation of the public health, and the prevention of disease; to make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious and infectious diseases and other danger to the public life and health; *provided, however*, that nothing herein contained shall be construed as in any wise limiting any duty, power, or powers now possessed by or heretofore granted to the said state board of health, or its executive committee by the statutes of this State, or as affecting, modifying or repealing any rule or regulation heretofore adopted by said board. In order to carry out any or all of the provisions of this section, the state board of health is hereby given the full power and authority to institute proceedings of condemnation of land or other property for the purpose of effectually carrying out the provisions of this section. These condemnation proceedings to be brought in the name of the state board of health in the manner as is now provided by law for the condemnation of lands for other purposes. Nothing herein shall in any way abridge or limit the right of any person, firm or corporation to maintain or prosecute any proceedings, civil or criminal, against persons, firms, or corporations maintaining a nuisance.

1932 Code, § 5002; Civ. C. '22, § 2313; 1912 (27) 744; 1926 (34) 1015.

No. 1.

BUS STATIONS

Section 1. General--All bus stations, including their waiting rooms, lunch rooms, restaurants, wash rooms, and toilets, shall be kept in a clean and sanitary condition at all times.

Section 2. Cleaning--All waiting rooms used by the public shall be swept and dusted daily; and at intervals of not more than seven days the floors shall be scrubbed with soap and water, and the seats, benches, counters and other woodwork shall be similarly scrubbed, or shall be rubbed down with a cloth moistened with oil.

Section 3. Sweeping--If sweeping is done while rooms are occupied or open to occupancy by patrons, the floor shall be first sprinkled with wet sawdust or other dust-absorbing material.

Section 4. Dusting--If dusting is done while rooms are occupied or open to occupancy by patrons, it shall be done only with cloths moistened with water, oil, or other dust-absorbing material.

Section 5. Spitting--Spitting on the floors, walls, seats or platforms of stations is prohibited.

Section 6. Cuspidors--In all waiting rooms where smoking is permitted, an adequate supply of cuspidors shall be provided; such cuspidors shall be cleaned daily, and oftener if their condition requires.

Section 7. Common cups--Individual drinking cups in sufficient number shall be supplied in all stations, and the use of common drinking cups is prohibited.

Section 8. Common towels--The supplying of roller towels or other towels for common use in bus stations is prohibited.

Section 9. Combs and brushes--The supplying of combs and brushes for common use in bus stations is prohibited.

Section 10. Toilet facilities--All bus stations where tickets are sold shall provide adequate toilet facilities, of a design approved by the state board of health, for the use of patrons and employees; and there shall be separate toilets for each of the two sexes. Adequate toilet facilities shall be as follows: a minimum of one stool for each ten women or less, and one stool and one urinal for each fifteen men or less. The number of stools to be determined by the number of buses and the capacity of the buses arriving at any station within a period of thirty minutes. Where a bus station is maintained in connection with a filling station separate toilet facilities shall be provided for the bus station from those maintained for the filling station.

Section 11. Station toilets--If a bus station is located within 300 feet of a public sewer, water flushing toilets shall be installed and permanently connected with such sewer, and a wash basin or basins shall be located near the toilet and similarly connected; and such toilets and lavatories shall be kept in repair and in good working order at all times.

Section 12. Care of toilets--All toilets installed as set forth in section 11, shall be cleaned daily by scrubbing the floors, bowls and seats with soap and water.

Section 13. Odors in toilets--When offensive odors appear in toilets which are not obliterated and removed by cleaning as in section 12, said toilets shall be treated with a 2 per cent. solution of formaldehyde or other odor-destroying substance.

Section 14. Toilet supplies--Toilet and wash rooms installed as set forth in section 11, shall be constantly furnished with an adequate supply of toilet paper, soap and free or clean towels.

Section 15. Privies--If no sewer connection is available as set forth in section 11, a sanitary privy of a design approved by the state board of health shall be maintained within a reasonable distance from the station. Such privy shall be adequately protected against the entrance of flies, shall be kept supplied with toilet paper, the seats shall be kept clean, and the vaults shall be cleaned out and emptied at such intervals as will avoid the development of a nuisance.

Section 16. Water and ice supplies--water to be certified--Water provided by common carriers for drinking or culinary purposes in bus stations shall be taken from supplies certified by the United States public health service as meeting the required standards of purity and safety prescribed by the interstate quarantine regulations of the United States.

Section 17. Ice--Ice used for cooling water provided as in section 16, shall be clean natural ice, ice made from distilled water, or ice made from water certified as aforesaid; and before the ice is put into the water it shall be washed with water of known safety, and handled in such a manner as to prevent its becoming contaminated by the organisms of infectious diseases; provided, that the foregoing shall not apply to ice that does not come in contact with the water to be cooled.

Section 18. Care of water containers--All water containers where water and ice are put into same compartment shall be thoroughly cleansed at least once in each week that they are in use. All water containers and water storage tanks shall be thoroughly drained and flushed at intervals of not more than one month.

Section 19. Water not usable for drinking--If water which does not conform to the standards set forth in section 16, of these regulations is available at any tap or hydrant, in any bus station, a notice shall be maintained on each tap or hydrant which shall state "Not fit for drinking."

Section 20. Drinking fountains--If drinking fountains of the bubbling type are provided in any bus station, they shall be so made that the drinking is from a free jet projected at an angle to the vertical, and not from a jet that is projected vertically or that flows through a filled cup or bowl.

Section 21. Refuse cans--At all bus stations where there is an agent, there shall be provided and maintained an adequate supply of open or automatically closing receptacles for the disposition of refuse and kept reasonably clean and free from odor. State laws with reference to restaurants shall apply to all restaurants and lunch rooms in bus stations.

No. 2.

CAMPS

Section 1. Definition--Camps shall be considered to include all camps and similar places of temporary abode. Tourist camp, within the meaning of these regulations, is defined to be a tract or parcel of land with or without buildings or other equipment, private or municipally owned, open to the public and designated to the public as a tourist camp and set aside for free or pay camping purposes.

Section 2. Camp location and upkeep--Camps shall be located on suitable and well-drained grounds, roads, trails and walks for the use of the public, in connection with the camp, shall be so guarded or posted as to insure safety. The premises and equipment shall at all times be kept in a clean and safe condition and free from vermin. The camp site shall be kept free from noxious weeds such as poison ivy, ragweed and poison sumac.

Section 3. Water supply--(a) The water supply for drinking and culinary purposes shall be safe. No supply shall be used until it has been inspected and found to meet the standards of the state board of health. When water from a public supply is carried in, clean containers shall be used. (The use of a common drinking cup is prohibited by State law.)

(b) **Drinking water (wells)--**All wells whether dug, driven point or drilled and cased, shall be so located, constructed and topped, and the pump so attached as to prevent pollution of the well water.

(c) No surface spring water shall be used for drinking or preparing foods, unless amply protected against pollution, and not before it has been inspected, tested and pronounced safe by the state board of health.

(d) Newly constructed and reconstructed wells, whether drilled or iron pipe cased with driven point, and pumps, water pressure systems, and new piping, shall be sterilized and duly tested by an accredited laboratory before use.

(Tests for the purity of water supplies are made free of charge by the state board of health laboratory, Columbia, South Carolina. Sterile containers can be secured from the local county health officer.)

Section 4. Toilets--All toilets shall conform to section 5050, Code, 1942 and rules and regulations of the state board of health.

Section 5. Washing facilities--Hand and clothes washing facilities must be adequate and shall be kept in a sanitary condition at all times.

Section 6. Garbage, rubbish, waste paper, etc.--(a) Garbage of the camp and tin cans shall be kept in separate covered containers and buried or otherwise disposed of without creating a nuisance. The camp shall be kept free from rubbish.

(b) Waste water from washing facilities, kitchen and other buildings or equipment shall be collected and disposed of so as not to form pools on the ground in or near the camp, nor create a nuisance, nor pollute any drinking water supply.

Section 7. Sleeping and living quarters--(a) Camp owners maintaining or offering for the use of the public sleeping or living quarters shall meet the requirements prescribed by this section.

(b) Every such camp building or tent used for sleeping or living quarters shall have windows or openings so constructed as to admit sunlight. The ventilation shall be adequate to keep the air in all parts of the living and sleeping quarters clean.

(c) The living and sleeping quarters shall be kept clean and sanitary, and during the insect season all outside openings shall be effectively screened with 18-mesh screen wire.

(d) In buildings used for sleeping quarters there shall be at least 225 cubic feet of air space for every occupant.

(e) Buildings and permanent tents used for sleeping quarters shall be provided with floors raised above the ground. When bunks are used, they shall be raised at least twelve inches above the floor.

(f) The floors of all buildings used as living quarters shall be swept daily (dry sweeping is prohibited) and scrubbed with hot water and soap at least once a week.

(g) Tents provided for living purposes shall be waterproof and trenched for drainage. The interior shall be kept clean and dry. When used as sleeping quarters, they shall be equipped with cots or beds.

(h) Bunks, beds and bedding shall be kept clean and free from vermin.

(i) When provided, bedding shall be sufficient; blankets shall be hung out for airing at least once a week.

(j) Clean, fresh pillow slips and bed sheets of sufficient size to completely cover the mattress and pillow shall be used, and shall be renewed daily, or before being assigned to another guest.

Section 8. Camp supervision--The owner, caretaker or other person in charge of the camp shall be responsible for maintaining in good order all sanitary equipment and for compliance shall make or have made (by a responsible person reporting to them) frequent inspection of the premises and sanitary equipment for the purpose of maintaining proper sanitation and compliance with these regulations.

Section 9. Regulations, posting of and camp maintenance--(a) All tourist camps located in South Carolina shall be constructed, arranged, and maintained in a manner required in these regulations. These regulations shall be enforced by the local board of health, or county health department.

Section 10. It shall be the duty of all house trailer camp owners or managers to report immediately to the local health officer all known or suspected cases of communicable diseases.

Section 11. Permits--Before any trailer camps, trailer parks or trailer lots are operated, a permit shall be obtained from the county health officer.

Section 12. Violation of these rules and regulations shall be punishable in accordance with section 5002-1 of the Civil Code of 1942 by a fine not exceeding \$100.00 or by imprisonment not exceeding thirty (30) days.

No. 4.

COMMUNICABLE DISEASES

Section 1. Physicians shall report cases of certain diseases (and deaths) from them--Every physician in the State of South Carolina shall report in writing or by an acknowledged telephone communication to the local health authority where such exists or where one does not exist, to the state health officer, immediately after his or her first professional visit, each patient, he or she shall have found suffering, or suspected to be suffering, with any contagious disease. IF SUCH DISEASE IS OF A PESTILENTIAL NATURE, HE SHALL ALSO IMMEDIATELY NOTIFY THE STATE HEALTH OFFICER AT COLUMBIA BY TELEGRAPH OR TELEPHONE AT STATE EXPENSE. He or she shall report, as required above, every death from such contagious or pestilential disease immediately after it shall have occurred. The attending physician is authorized and it is made his duty to place the patient, the household and the premises under the restrictions as hereinafter provided, for the management and control of said disease, until such time as the control of said disease may be assumed by the local or state board of health.

Section 2. Physicians shall report cases of occupational diseases.

Each physician having knowledge of any person whom he believes to be suffering from any occupational disease shall report the diagnosis of the disease to the state board of health. The term occupational disease has reference to one which occurs with definite frequency and regularity in occupations where there is a specific exposure as the cause which operates to produce effects in the human body recognized clinically by the medical profession as pathological changes and effects produced by the specific exposure involved. The state board of health is authorized to investigate and to make recommendations for the elimination or prevention of occupational diseases which shall be reported in accordance with the provisions of this section. The state board of health is also authorized to study and provide advice in regard to conditions that may be suspected of causing occupational diseases, provided information obtained upon investigations made in accordance with the provisions of this section shall not be admissible as evidence in any action of law to secure compensation for occupational diseases through common law.

Section 3. Householders, heads of families, etc., shall report contagious diseases.

Every hotel proprietor, keeper of a boarding house or inn, keeper or manager of tourist, trailer or other camp, and householder or head of a family, in a house wherein any case of reportable or contagious disease may occur, shall report the same to the local health authority as early as possible after the time of his or her first knowledge or suspicion of the nature of the disease, unless previous notice has been given by the physician in attendance; and in case of quarantinable diseases, until instructions are received from the said local health authority, shall not permit any clothing or other articles which may have been exposed to infection to be removed from the house, nor shall any occupant of said house change his residence elsewhere without the consent of the local health authority.

Section 4. Nurses and midwives shall report redness or inflammation of eyelids to health authorities.

Whenever any nurse, midwife or other person not a legally qualified practitioner of medicine shall notice inflammation of the eyes or redness of the lids in a newborn child under his or her care, it shall be the duty of such person to report the same to the local health authority, or, in his absence, to any reputable physician, as early as possible after the same is first noticed.

Section 5. The notifiable diseases in South Carolina:

Anthrax, asbestosis, silicatosiis, silicosis, cataract (glass workers), compress air illness, dermatitis due to irritating oil, cutting compounds or lubricants, chemical dust, paints plastics, liquids, dyes, fumes, gases or vapors; lead poisoning, mercury poisoning, carbon-monoxide poisoning or oxides of zinc, manganese and other metals; carbon tetrachloride and phosgene poisoning, poisoning by carbon disulphide, methanol, or volatile halogenated hydrocarbons; poisonings by benzol, or nitro and amino-derivatives of benzol (dinitrobenzol, anilin, and others); chlorine poisoning, poisoning by sulphuric, hydrochloric or hydrofluoric acid; poisoning by volatile petroleum products; poisoning by refrigerants, ethyl bromide, sulphur dioxide, hydrogen sulfide, nitrous gases, butyl alcohol, explosives, esters or aldehydes.

Section 6. Local health authorities shall keep records of contagious diseases.

City, town and county health authorities shall keep a careful and accurate record of all cases of notifiable diseases reported to them, with the name, date, age, sex, race, location, and such other necessary data as may be prescribed from time to time by the state board of health. They shall also make a report of all notifiable diseases to the state board of health at such time and on such form as may be required. Whenever such diseases are of unusual incidence, they shall report these diseases immediately after their first knowledge of them to the State Board of Health by telephone or telegraph.

Section 7. Rules and regulations relating to quarantine, isolation and other control measures to be observed by all health authorities.

The report of a committee of the American Public Health Association on the control of communicable diseases, and approved by the U. S. public health service, and approved and promulgated from time to time by the executive committee of the South Carolina state board of health, is adopted as the rules and regulations for the control of communicable diseases in South Carolina.

These rules for the regulations of quarantine, isolation and disinfection in the several contagious diseases therein named are to be observed by all boards of health, health officers, physicians, school superintendents, school trustees and such others as shall be responsible for the care and regulation of the public health. All health authorities of counties, towns and cities in this State are hereby directed and authorized to establish local quarantine, hold in detention, maintain isolation and practice disinfection, as hereinafter provided for, of all such persons, vehicles or premises which are infected or suspected of being infected with any of the above contagious diseases wherever found. Following are some of the rules and regulations abstracted from the above report:

(a) **Cleaning**--This term signifies the removal by scrubbing and washing, as with hot water, soap and washing soda, of organic matter on which and in which bacteria may find favorable conditions for prolonging life and virulence; also the removal by the same means of bacteria adherent to surfaces.

(b) **Disinfecting**--By disinfecting is meant any process, such as the use of dry or moist heat, gaseous agents, poisoned food, trapping, etc., by which insects and animals known to be capable of conveying or transmitting infection may be destroyed.

(c) **Disinfection**--By this is meant the destroying of the vitality of pathogenic micro-organisms by chemical or physical means.

(d) **Fumigation**--By fumigation is meant a process by which the destruction of insects, as mosquitoes and body lice, and animals, as rats, is accomplished by the employment of gaseous agents.

(e) **Isolation**--By isolation is meant the separating of persons suffering from a communicable disease, or carriers of the infecting micro-organism from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons.

(f) **Quarantine**--By quarantine is meant the limitation of freedom of movement of persons or animals who have been exposed to communicable disease for a period of time equal to the longest usual incubation period of the disease to which they have been exposed.

(g) **Renovation**--By renovation is meant, in addition to cleansing, such treatment of the wall, floors, and ceiling of rooms or houses as may be necessary to place the premises in a satisfactory sanitary condition.

Section 8. Rules and regulations relating to the placarding of houses and premises.

(a) Upon notice that the following diseases exist within his jurisdiction, it shall be the duty of the proper health authority to have the houses or premises in which the disease exists placarded by placing a yellow flag or card of such size and wording as may be prescribed by the state board of health, at the outside entrance, or entrances to the house or premises. Persons ill with any of the following diseases shall be isolated for the period of communicability of the diseases, contacts shall be quarantined for the period of maximum incubation for the disease, concurrent and terminal disinfection shall be practiced as prescribed.

Quarantine placard:

- | | |
|------------------------------------|--|
| 1. Cholera | 6. Psittacosis |
| 2. Diphtheria | 7. Scarlet fever |
| 3. Measles (in non-epidemic years) | 8. Smallpox |
| 4. Plague | 9. Typhus fever (epidemic) |
| 5. Poliomyelitis | 10. Whooping cough (in sporadic cases) |

(b) Upon notice that the following diseases exist within his jurisdiction, it shall be the duty of the proper health authority to have the houses or premises in which the disease exists placarded by placing a card of such size and color and wording as may be prescribed by the state board of health, at the outside entrance or entrances to the house or premises. Persons suffering from the following diseases shall be isolated and concurrent and terminal disinfection shall be practiced as prescribed. Contacts do not have to be quarantined.

Warning placard:

- | | |
|----------------------------|--|
| 1. Anthrax. | 12. Measles (in epidemic years) |
| 2. Chickenpox | 13. Meningitis |
| 3. Dengue | 14. Mumps |
| 4. Dysentery (bacillary) | 15. Paratyphoid fever |
| 5. Encephalitis lethargica | 16. Pneumonia |
| 6. Favus | 17. Septic sore throat |
| 7. German measles | 18. Syphilis |
| 8. Glanders | 19. Trachoma |
| 9. Gonorrhea | 20. Tuberculosis |
| 10. Influenza | 21. Typhoid fever |
| 11. Leprosy | 22. Whooping cough (in epidemic years) |
| | 23. Yellow fever. |

(c) Upon notice that the following diseases exist within his jurisdiction, it shall be the duty of the proper health authority to make an investigation and institute such control measures as may be necessary. It is not necessary that the house or premises be placarded, the patient isolated, nor contacts quarantined:

Whenever the disease is of contagious or infectious nature such concurrent and terminal disinfection shall be practiced as may be necessary to prevent further spread of the disease.

No placard:

- | | |
|---------------------------------|----------------------------|
| 1. Hookworm | 7. Trichinosis |
| 2. Actinomycosis | 8. Tularaemia |
| 3. Dysentery (amoebic) | 9. Malaria |
| 4. Rabies | 10. Undulant fever |
| 5. Rocky Mountain spotted fever | 11. Typhus fever (endemic) |
| 6. Tetanus | 12. Cancer |

Section 9. Placards shall not be destroyed or removed.

No person or persons shall alter, deface, remove, destroy, or tear down any card posted by any health authority. The occupant or person having possession or control of buildings or premises upon which a quarantine or other health notice has been placed shall, within twenty-four hours after destruction or removal of such by other than the proper authorities, notify the local health authority of such destruction or removal.

Section 10. Health authorities are to assume control of quarantine, isolation, and other control measures.

In all incorporated cities and towns the municipal health authorities shall assume control and management of contagious diseases and exposures and shall see that quarantine, isolation and other control measures as herein provided are carried out. In those portions of all counties in this State outside of incorporated cities and towns, the county or district health department shall assume management and control of contagious diseases and exposures and shall see that quarantine, isolation and other control measures as herein provided are carried out.

Section 11. Health authorities may pass through quarantine lines.

All health authorities shall have the privilege and shall be allowed to pass through all quarantine lines, whether instituted at the instance of the State or local author-

ities, they first requesting permission and acquainting the officers or guards with the fact of their being properly authorized health officers, and with the assurance on their part that they understand the nature of the disease that they are visiting, and will take proper precautions as provided herein against carrying the infection themselves.

Section 12. Persons forbidden going to or leaving contagious disease premises.

After the house or premises containing a contagious disease is flagged or placarded, all persons except the attending physician or the authorized health officer are forbidden going in or leaving the premises, except as hereinafter provided for, and the carrying off or causing to be carried off, of any object or material whereby such disease may be conveyed, is prohibited.

Section 13. Persons affected with or exposed to contagious diseases shall obey health authorities.

It shall be the duty of all persons affected with any contagious or infectious disease or who from exposure to contagion from such disease, may be liable to endanger others who may come in contact with them, to strictly observe such instructions as are given them by any health authority of the State in order to prevent the spread of such disease; and it shall be lawful for such authorities to command any persons thus affected or exposed to infection to remain within designated premises for such length of time as herein provided, for the several contagious and infectious diseases.

Section 14. Travel of persons with contagious diseases.

All persons having any of the following contagious diseases are prohibited from riding upon any public vehicle or conveyance except upon the written approval of and/or according to regulations prescribed by the state health officer. They are also prohibited from being upon public thoroughfares of the State except in private conveyance, which shall make no unnecessary stops between the point of departure and the destination of the patient. They are prohibited from attending any public assemblages or public places:

Acute poliomyelitis	Chickenpox
Asiatic cholera	Dengue
Diphtheria	Smallpox
Influenza	Rabies
Measles	Trachoma
Meningococci meningitis	Typhoid fever
Mumps	Paratyphoid fever
Plague	Pulmonary tuberculosis (active)
Pneumonia	Typhus fever (epidemic)
Scarlet fever	Yellow fever
Septic sore throat	Whooping cough

Section 15. Children with contagious diseases shall not attend school.

No superintendent, principal, or teacher of any school; and no parent, master or guardian of any child or minor having the power and authority to permit any such child or minor having any contagious or infectious disease requiring isolation or any other disease in a communicable stage but not requiring isolation to attend any private, parochial, church or Sunday school until the requirements of these rules and regulations as to the disease or diseases in question have been complied with after their recovery. They shall not be permitted to enter school except upon the written certificate of the attending physician or of the local health officer stating that the child has recovered and is non-infectious.

Section 16. Superintendents of schools to be notified of contagious disease.

The local health authority shall notify the superintendent or principal of any school of the locations of quarantinable diseases, and if the superintendent or principal finds any attendance in school from such places except as strictly provided for herein, he shall deny them admission to the said schools, and admit them only upon the written certificate of the attending physician or local health authority that there is no danger of infection from them.

Section 17. Household contacts of contagious disease in relation to school attendance.

Children coming from a house in which contagious disease exists, but not suffering from said contagious disease, may attend school upon the written certificate of the attending physician, or local health authority, stating that the child has not been exposed to the disease for maximum incubation of the disease, and that the patient is in isolation; or that they are immune to the disease and are not carriers of said disease.

Section 18. Persons with trachoma or acute infectious conjunctivitis excluded from school.

Persons afflicted with trachoma, granulated lids or acute infectious conjunctivitis shall be excluded from schools, public assemblages and from close association with

other individuals, unless they are under the constant care and strict supervision of a competent physician, and hold a certificate from said physician stating that active inflammation has subsided and that danger of infection no longer exists.

Section 19. Minor diseases to be excluded from school.

Those actually suffering from acute tonsilitis, scabies, lice, ringworm and impetigo contagiosa shall be excluded from school during such illness and be readmitted only on the certificate of the attending physician or local health authority, attesting to their recovery and non-infectiousness.

Section 20. Health authorities to investigate reported cases.

Whenever the local health authority is informed or has reason to suspect that there is a case of contagious reportable disease within his territory, he shall immediately examine into the facts of the case and shall adopt the control regulations applicable to such diseases as provided herein.

Section 21. Premises occupied by persons with contagious diseases to be rendered non-infectious.

No person shall offer for hire or cause or permit any one to occupy premises, houses or apartments previously occupied by a person ill with any contagious or infectious communicable disease, or any other disease of communicable nature until such premises, houses or apartments shall have been rendered non-infectious according to the rules herein provided under the supervision of the local health authority.

Section 22. Premises not rendered non-infectious shall be placarded.

Whenever these rules and regulations, or whenever the order of the local health authority requiring the disinfection or fumigation of apartments, premises, or articles shall not be complied with, or in case of delay, the local health authority shall forthwith cause to be placed upon the outside entrance or entrances a placard as follows:

"These apartments have been occupied by a patient or patients suffering with a contagious disease and they may have become infected. They must not be again occupied until my orders directing the renovation and disinfection of the same have been complied with. This notice must not be removed under penalty of law, except by an authorized official."

Section 23. Persons suffering from reportable diseases shall not work where food products are produced.

No person suffering with any reportable disease or who resides in a house in which there exists a case of smallpox, scarlet fever, diphtheria, dysentery, or typhoid fever shall work, or be permitted in or about any dairy or any establishment for the manufacture of food products until the local health authority has given such a person a written certificate to the effect that no danger to the public will result from his or her employ or presence in such establishment.

Section 24. These rules and regulations not to prevent local laws.

Nothing contained in these rules and regulations shall be construed to prevent any city, town or county from making such health laws as they may think necessary for the preservation of public health; provided that the said laws be not inconsistent with the laws as herein laid down by the state board of health. And it shall be the duty of the local health authority to at once furnish the state board of health with a copy of the proposed law or laws for the approval of the executive committee of the state board of health before they shall become law.

INDUSTRIAL PLANTS

Section 1. Water Supplies---Water provided in industrial plants for drinking purposes, and water used for the humidifying of spaces or rooms where workmen are employed, shall be of a purity acceptable to the State Board of Health.

Section 2. Common Cups---All textile and industrial plants, mercantile establishments and other places where more than five people are employed are required to furnish their employees sanitary drinking fountains, or individual sanitary drinking cups, and to keep receptacles in which drinking water is kept properly covered so as to exclude dust, etc.

Section 3. Drinking Fountains---If drinking fountains are furnished and are the bubbling type, they shall be so made that the drinking is from a free jet projected at an angle to the vertical, and not from a jet that is projected vertically or that flows through a filled cup or bowl.

Section 4. Toilet Facilities--Factories to Be Provided with Suitable Water Closets. Every factory, mercantile, or other establishment, or office where two or more males and two or more females are employed together, shall be provided, with a sufficient number of separate water-closets, earth closets or privies, for the use of each sex, and plainly so designated; and no person shall be allowed to use a closet or

privy which is provided for persons of other sex. Such water closets, earth closets, or privies, shall be kept clean and free from disagreeable odors.

Minimum Toilet Fixtures to be Provided for each Sex.

Employees	Fixtures
1 - 9	1
10 - 24	2
25 - 49	3
50 - 100	5
over 100	1 for each additional thirty persons

A. The number to be provided for each sex should be based on the maximum number of persons of that sex employed at any one time on the premises for which the fixtures are furnished.

B. Whenever urinals are provided for men, a maximum of one third of the number of toilet fixtures specified in the above table may be replaced by an equal number of urinals. Two feet of porcelain enamel urinal may be considered as equivalent to one urinal fixture.

C. Multiple seat toilets or makeshift trough arrangements used for toilets shall not be considered satisfactory even though they are equipped for water flushing.

D. Every water closet bowl shall be set entirely free from the wall and enclosure so that the space around the fixture may be cleaned easily.

E. Every water closet shall have a hinged-lid seat made of impervious material. If absorbent material is used the seat shall be finished with varnish or other coating to make it impervious to water.

F. All outside doors, windows, and other openings of toilet rooms shall, during the fly season, be equipped with screens of at least 16 mesh.

Whoever violates the provisions of (section 3241, 1942) in reference to water-closets in factories, shall be punished by a fine of not less than ten (\$10) dollars nor more than thirty (\$30) dollars.

Section 5. Spitting.-Spitting on the floors and on the walls of any industrial plant is unlawful and prohibited.

Section 6. Threshold limits.

The following are declared threshold limits for the designated toxic materials.

No person, firm, corporation or other employer shall use or permit to be used in the conduct of his business, manufacturing establishment or other place of employment, any process, material or condition known to have an adverse effect on health, unless arrangements have been made to maintain the occupational environment in such a manner that injury to health shall not result.

Exposure to dust, fumes, mists, vapors, gases or any material that may affect health shall be kept below the following threshold limits.

Substance	Maximum allowable concentration
Ammonia	100 p. p. m.
Amyl acetate	200 p. p. m.
Aniline	5 p. p. m.
Arsine	1 p. p. m.
Benzene (benzol)	100 p. p. m.
Butyl acetate	200. p. p. m.
Butyl alcohol	100 p. p. m.
Carbon disulfide	20 p. p. m.
Carbon monoxide	100 p. p. m.
Carbon tetrachloride	75 p. p. m.
Dichlorobenzene	75 p. p. m.
Dimethylaniline	similar to aniline
Ethylene dichloride	100 p. p. m.
Hydrogen chloride	10 p. p. m.
Hydrogen cyanide	20 p. p. m.
Hydrogen fluoride	3 p. p. m.
Hydrogen sulfide	20 p. p. m.
Methyl alcohol	200 p. p. m.
Monochlorobenzene	75 p. p. m.
Mononitrotoluene	similar to nitrobenzene
Nitrobenzene	5. p. p. m.
Nitrogen oxides	20 p. p. m.
Petroleum naphthas	1000 p. p. m.
Phosgene	1 p. p. m.
Phosphine	1 p. p. m.
Sulphur dioxide	10 p. p. m.
Tetrachloroethane	10 p. p. m.
Tetrachloroethylene	200 p. p. m.

Toulene (Toluol)	200 p. p. m.
Trichlorethylene	200 p. p. m.
Turpentine	200 p. p. m.
Xylene (Xylol)	200 p. p. m.
Cadmium	0.1 mg./m. ³ .
Chromic acid	0.1 mg./m. ³ .
Lead	0.15 mg./m. ³ .
Mercury	0.1 mg./m. ³ .
Dinitrotoluene	similar to TNT
Tetryl	1.5 mg./m. ³ .
TNT	1.5 mg./m. ³ .
Zinc oxides	15.0 mg./m. ³ .
Silica (SiO ₂) (free or uncombined)	5 m.p.p.c.f.
Silicates	50 m.p.p.c.f.

Note: p. p. m.--Parts of substance per million parts of air by volume.

mg/m.³--Milligrams of substance per cubic meter of air.

m. p. p. c. f.--Millions of particles of substance per cubic foot of air.

The maximum allowable concentration for the various substances listed are based on an eight-hour daily exposure. Other materials not included in the above list shall be kept below injurious concentrations, which will be stipulated depending on the nature of the material or the materials.

Section 7. Carroting--Definitions: For the purpose of carrying out the provisions of this resolution the following terms are defined:

Hatters' Fur is any animal fiber or other substance used in the manufacture of hats, which is treated or otherwise prepared by the process of, or, in a manner similar to that of carroting.

Carroting is the process of treating hatters' fur with mercury nitrate or any other solution or material for the purpose of rendering the hatters' fur suitable in the manufacture of hats.

Mercurial carrot is any solution or material containing mercury or its compounds in combination with nitric acid or other materials and used in the carroting or preparation of hatters' fur.

The use of mercurial carrot in the preparation of hatters' fur, or the use of mercurial carroted hatters' fur in the manufacture of hats, is prohibited.

JAILS AND OTHER PENAL INSTITUTIONS

Section 1: Ventilation. All jails and other penal institutions in South Carolina must be properly ventilated. A minimum of 500 cubic feet of air space must be provided for each prisoner for his sleeping room, and proper provisions must be made so that this air be changed so as to provide 3,000 cubic feet per hour for each prisoner.

Section 2: Heat and Lighting. All jails and other penal institutions in South Carolina must be properly heated and properly lighted.

Section 3: Floors, Walls and Bedding. The floors of each jail where prisoners are confined, and each cell of the penitentiary must be cleaned daily. The walls must be kalsomined or whitewashed at least once annually. Clean bedding must be furnished in jails and other penal institutions in South Carolina.

Section 4: Water Closets. Proper water closets with adequate plumbing must be provided in all jails and the penitentiary in incorporated towns having waterworks and sewerage. These must be provided with covers and kept in a sanitary condition.

Section 5: Screening. The windows and doors of all jails and penal institutions in South Carolina must be properly screened with 16-inch mesh wire.

Section 6: Water Supply. Pure water in sufficient amount for drinking and bathing purposes must be furnished in every jail and other penal institution in South Carolina.

Section 7: Isolation of Contagious Disease. Prisoners suffering with the following contagious diseases must be isolated from the rest of the prisoners and a suitable isolation ward or room must be provided in all jails and penal institutions for tuberculosis, smallpox, diphtheria, scarlet fever, mumps, measles, whooping cough, scabies or itch, leprosy and other diseases designated as contagious by the state board of health.

Section 8: Examination of Prisoners Upon Admission. All prisoners admitted to any jail or other penal institutions in South Carolina must be examined within twenty-four hours after admission to determine whether they are suffering from any contagious disease.

Section 9: Bath on Entrance. All prisoners admitted to any jail and other penal institutions in South Carolina must be required to bathe all over and be provided with clothing until the clothes worn on admission have been properly disinfected

and made free from vermin, should such vermin be present when the prisoners are admitted.

Section 10: Proper diet for prisoners. All prisoners admitted to any jail and other penal institutions in South Carolina must be furnished with sufficient wholesome food, this food to be subject to inspection from time to time by the state health officer or other agent of the state board of health.

Section 11: Every room or cell occupied by any patient prisoner suffering with a communicable disease, when vacated, shall be disinfected

Section 12: Cooking and eating apartments shall follow the same rules as those prescribed for restaurants and hotels.

MEAT MARKETS

Section 1: In every meat market each room wherein meat is handled or stored shall be completely screened at doors, windows and other openings with wire gauze, 18-mesh per inch in either direction, and such gauze shall be at all times kept in perfect repair.

Section 2: The floors of every meat market shall be kept in a clean and sanitary condition at all times. The use of clean pine sawdust is permitted on the floors, provided it is changed every other day.

Section 3: Chopping blocks shall be scraped daily and counters must be thoroughly scoured; all knives, saws, and other implements must be scalded and washed thoroughly each day, and maintained at all times in clean condition.

Section 4: All meat that has become tainted or attacked by putrefactive bacteria shall be removed from the premises at once or destroyed, and shall not be stored in any ice box or refrigerator.

Section 5: All ice boxes and refrigerators shall be kept clean at all times.

Section 6: There shall be provided for the use of all employees a wash sink or lavatory, which shall be provided with or in connection to the urinals and water closets, with an abundance of towels, water and soap, and all employees shall wash their hands before handling any meat, and after each visit to the toilet.

Section 7: All dealers in foodstuffs, such as milk, meat, fish, or poultry shall not expose or exhibit the same on any sidewalk or alley in the State of South Carolina; but all such food intended for human consumption and offered for sale shall at all times be kept free from contamination by dust, dirt, insects, cats, dogs or other animals.

Section 8: All dealers in foodstuffs, whether to be eaten raw or cooked, such as vegetables, fruits, candies, cakes, confections, etc., shall at all times keep them in such a manner that they will be free from dust, dirt, flies, insects, cats, dogs or other domestic animals.

Section 9: No person shall be employed in any market while afflicted with any communicable disease.

Section 10: All markets shall be provided with containers of such construction and dimensions for the reception of all garbage, refuse, offal, decaying vegetables, and they shall be water-tight, made of galvanized iron, or tight-matched lumber, and provided with a suitable cover, which must be kept properly adjusted at all times, so as to protect the contents from flies, insects, rats and animals, or vermin. All garbage or refuse contents must be emptied at least once every forty-eight hours.

No. 8.

CANNERIES

Construction and drainage:

Section 1. The roof of every cannery shall be of water-tight construction. The ceiling shall be high enough to permit safe clearance for all persons working under suspended shafting, hangers, piping, galleries, and other equipment.

Section 2. The floors of all canneries shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained, provided with trapped drains, and kept clean.

Section 3. The tops of all tables shall be constructed of hard, tight, and smooth material. All tables shall be so constructed as to be properly drained to remove waste and overflow.

Section 4. Waste and overflow shall be drained away from all machines, cookers, washers, and other places where created during operations, in drains, graded so as to convey liquid wastes from such machines to sewers, graded gutters or pipes buried in the floor or ground. All gutters and depressions from floor level shall be adequately covered in case their construction or location makes them dangerous to limb. Such covers shall be readily removable for cleaning and scrubbing the gutters. No person shall be permitted or required to work during factory operation at points where the floor is covered with an unreasonable amount of water or other liquid or wet accumulation.

Section 5. Litter, waste, or refuse shall not be allowed to accumulate in or around the buildings or around the buildings or yards of any cannery. All liquid

waste shall be conducted from the buildings by means of suitable drainage pipes or gutters, and disposed of in a manner which complies with the State laws. Gross by-products suitable for other usages, such as pea vines or corn husks, may be stacked or placed in silos. Such stacks or silos shall be separate from the buildings and shall be adequately drained to intercept any oozing liquid. Other by-products shall only be retained when rendered unobjectionable by giving off no offensive odor or oozing liquid. Skins, peelings, etc., shall not be piled near the cannery or any other building, nor be distributed on the land near the cannery or other buildings unless so disposed of as to give off no offensive odors or constitute a nuisance.

Cleansing of equipment:

Section 6. All machinery, conveyors, floors, tables, pails, trays, cookers, washers, etc., shall be scalded with steam or hot water at least once each day and as often in addition thereto as individual cannery requirements necessitate in order to prevent souring or unsanitary conditions. No scalding or blanching shall be used which is not cleaned at least twice each day, or oftener if necessary, during the period of use.

Section 7. All cans shall be clean before using. Where cans are conveyed from one building to another such conveyors shall be so protected to prevent any contamination.

Water supply:

Section 8. Only water meeting the standards of the state board of health shall be used in the washing of equipment coming in contact with food or in the making of brine or syrup. The overflow of brine, juice, or syrup shall not be used. No cans shall be brined or syruped by being passed through a tank to receive the syrup, brine, or other liquid by submergence (dip tank).

Section 9. An adequate supply of drinking water meeting the standards of the state board of health shall be provided both in the cannery and within easy access of living quarters provided by the cannery.

Comfort features:

Section 10. Wash rooms or stations must be provided, conveniently located and of sufficient size and equipment for the accommodation of all employees, equipped with ample running water supply and provided with individual sanitary towels and plenty of soap.

Section 11. Dressing rooms with hangers or lockers shall be provided for employees to change their clothes.

A rest room for women shall be maintained.

Screening:

Section 12. All windows, doors, ventilators, trapdoors, etc., opening to the outside air shall be properly screened.

Employee's requirements:

Section 13. Employees preparing food products must wear clean, white, washable, oversuits or aprons, etc., which must be kept clean. Female employees must wear clean, white, washable caps covering their hair. Employees shall keep their fingernails clean. They must wash their hands before commencing work and after each absence from their work.

Section 14. No person afflicted with infectious or contagious diseases or any infectious wounds, shall be employed in a factory, preserving or canning food. Employees are prohibited from smoking and from spitting on the floor in any of the sections where foods are being prepared.

Toilets:

Section 15. One privy or water closet of approved design shall be provided for every 25 persons or fractional part thereof of each sex occupying the living quarters or working in the cannery.

Section 16. All privies or water closets shall be readily accessible to the cannery or living quarters they are intended to serve. Suitable toilet provisions must be available for both the cannery and living quarters. If the latter are too far distant from the cannery, separate toilet provisions must be made. The entrance to each outside privy or water closet should be concealed by a vestibule or screen extending to a height of 6½ feet from the ground and of width at least 2 feet greater than the width of the entrance opening.

Section 17. Each privy or water closet shall be equipped with a door, and in addition shall be ventilated by an opening or openings (unobstructed except by wire screening) to the outer air. Such openings shall have a combined area of not less than 1 square foot.

Section 18. Each window and ventilator opening of a privy or water closet shall be provided with wire fly screening.

Section 19. Each door shall be equipped with an automatic closing device.

Living quarters:

Section 20. Living quarters must have waterproof roofs and tight, board floors.

Section 21. In buildings occupied by more than one sex, all interior partitions

shall extend from the floor to the ceiling or roof. Such partitions must be of solid construction without openings, cracks, etc., other than doorways.

Section 22. Each room used as living or sleeping quarters shall have not less than one window opening directly to the outer air, and such window shall have at least 5 square feet of space. Each opening for a window shall be equipped with a sash with glass panes and shall be constructed to open outwardly on hinges or slide horizontally or vertically so as to be available for ventilation and escape.

Section 23. Each room having only one window must have an additional adequate outside opening for ventilating purposes.

Section 24. Each room used as living or sleeping quarters shall not have less than one door leading to the outside. Such doors should open outwardly.

Section 25. All windows and doors leading to the outside air shall be screened during the fly season.

Section 26. Except in the housing of families, sleeping accommodations shall be provided in rooms which are separate for each sex.

Section 27. In every room used for sleeping purposes there shall be provided not less than 400 cubic feet of air space for each occupant, except that between April 1 and October 31, 250 cubic feet of air space for each occupant may be accepted at the discretion of the state board of health.

Section 28. Beds, cots, or bunks shall be provided in each room for sleeping purposes in sufficient number for the occupants of the room.

Section 29. Each bed, cot or bunk shall be elevated not less than 12 inches above the floor.

Section 30. All beds, cots, or bunks shall be placed not less than 2 feet apart at all points, unless separated by interior partitions.

Section 31. The occupants of living quarters shall be required to keep them clean and tidy.

Section 32. The cannery management shall be required to keep the grounds and surroundings clean and free from rubbish, refuse, etc.

Section 33. A sufficient number of closed, metal garbage containers shall be provided at the living quarters and the cannery management shall provide daily collection and removal of garbage to some point where it will not constitute a nuisance or breeding place for flies or other health nuisance.

No. 9. HANDLING OF SHELLFISH IN SHELL ONLY

Section 1. Oysters or clams which are taken from waters found upon inspection by the state department of health to be polluted so as to render the oysters taken therefrom or placed therein dangerous to health shall not be distributed or sold for use as food within the State of South Carolina.

Section 2. All bateaus, scows, or other vessels used for transportation of oysters or clams shall at all times be kept clean and free from mud, refuse or any decaying matter.

Section 3. Boats used for collecting shell oysters must be so constructed that the oysters can not come in contact with the bilge water, and they must be thoroughly cleaned daily while being used for this purpose.

Section 4. No sacks that have been used for the trans-shipment of oysters shall be used again for that purpose until they have been thoroughly cleaned and sterilized. Wooden barrels or other containers must be clean and free from anything that might contaminate the oysters.

Section 5. The practice of allowing oysters that have been dredged from the planting grounds to remain on the decks of schooners for a considerable time before sale results in their deterioration as a food product; therefore oysters shall not be carried on the decks of vessels after dredging longer than twenty-four hours in September, forty-eight hours in October and November.

Section 6. Railroad cars in which oysters are shipped in sacks must be clean and free from anything that might endanger the purity or healthfulness of the product. All cars shall be subjected to proper inspection to see that they conform to this rule.

Section 7. Oysters that are shucked may be washed in clean water before shipping and must be placed for shipment in containers in which ice shall be used, but the ice or the water therefrom must not be allowed to come in direct contact with the oysters.

Section 8. Oysters or clams intended for sale as food must not be kept or stored in any place or places which may in any way affect their purity or wholesomeness.

Section 9. Oyster and clam shippers will be required to keep their boats, wharves and shipping houses in a clean and sanitary condition at all times.

Section 10. Owners of all vessels in which men work continuously for more than two hours, and which are engaged in the handling of the oysters or clams from the planting grounds or in the vicinity of floats upon which oysters are or may be laid out, must provide their vessels with suitable receptacles in which the excreta, both

solids and liquids of persons using such boats shall be received, and the contents of such receptacles shall be disposed of either by incineration or by burial in the ground at points sufficiently removed from the banks of streams to prevent pollution of the water thereof.

Section 11. Oysters or clams that have remained in storage until the product has become weakened will be regarded as unfit for food and cannot be shipped.

No. 10.

OYSTER SHUCKING HOUSES

Section 1. (a) No person, firm or corporation shall operate or conduct an establishment for the shucking of oysters within this State until he, or they shall have secured from the department of health of the State of South Carolina a license to operate such an establishment which shall be equipped as hereinafter provided, and the operations carried on in such building or rooms shall be conducted in such manner that the purity and wholesomeness of the shellfish handled therein shall not be impaired.

(b) Application for such license shall be made in writing by the person, firm or corporation, submitting the application. All licenses shall be posted in a conspicuous place in the shucking plant, and shall expire June 30th following the date of issuance and must be renewed yearly.

Section 2. Only oysters which are alive, with tight shells, shall be used for shucking.

Section 3. Every building or room used as a shucking house shall be constructed and equipped as hereinafter provided, and the operations carried on in such building or rooms shall be conducted in such manner that the purity and wholesomeness of the shellfish handled therein shall not be impaired.

Section 4. All rooms in which shucked oysters are packed, stored, washed or otherwise handled shall be separate and apart from the rooms in which oysters are opened. Storage bins shall be constructed and so arranged that oysters or clams will not become contaminated. Storage bins to be constructed of concrete.

Section 5. Rooms in which oysters are shucked and in which shucked oysters are packed shall be provided with smooth, well-drained, easily cleanable floors constructed of concrete. Floors shall be cleaned thoroughly after each day's operation or more often if necessary in the opinion of the inspector. The side walls of such rooms shall be constructed of smooth, easily cleanable material painted with a light-colored paint. The walls shall be cleaned daily. The ceilings of packing rooms shall be smooth and painted with a light-colored paint and kept clean. The ceilings of the opening or shucking room shall be painted with a light-colored paint and kept clean. Waste material shall not be permitted to accumulate in rooms where oysters are packed or opened. Spitting upon the floors or walls of oyster houses is strictly forbidden.

Section 6. All shucking houses shall be adequately lighted and ventilated, and shall be provided with an abundant supply of hot and cold water under pressure (at least two (2) gallons of hot water per person). During the fly season all windows and doors shall be provided with screens.

Section 7. All shucking houses located in oyster grounds from which the taking of oysters is not prohibited, must be provided with adequate drainage to lead all waste liquids outside the building and into a suitable sewer, cesspool, or tank, or to some other point where they can be disposed of without creating a nuisance. Waste liquids must not be disposed of by emptying into any stream in which shellfish are grown.

Section 8. Shucking benches shall be constructed of smooth concrete, well drained, and easily cleanable. Shucking benches shall be kept in a clean condition at all times.

Section 9. All utensils and containers in which shucked oysters are placed must be of metal and of such construction as to enable them to be readily cleansed. No apparatus with which the shucked oyster comes in contact can be of wood. They must be thoroughly cleansed and then scalded out with hot water or steam before beginning each day's work. Knives used by shuckers must be subjected to the same treatment. Three compartment sinks, one for washing, one for rinsing, and one for scalding—170° F. for two minutes, shall be provided.

Section 10. Shucked oysters may be washed with clean unpolluted water. This washing must be of such a thorough nature that dirt and filth introduced by the openers or during subsequent handling shall be effectively removed. If a blower or any form of mechanical agitator is used to wash the oysters, it must be kept clean. The sediment must be removed after each blowing and a fresh supply of water used for each blow. The period of blowing shall not be over three minutes, unless salt solution is used. The strength of the solution should range between 1 per cent and 2 per cent, depending upon the salinity of the water in which the oysters are grown. After shucked oysters have been washed and are ready for final packing and

shipping, they shall not be touched by hand. Clean rubber gloves must be used.

Section 11. A solid pack shall be required when shucked unfloated oysters are sold by measure. For the purpose of this rule a solid pack will be understood to mean oysters which have been drained substantially of all their adhering liquor.

Section 12. Shucked oysters offered for shipment must be packed in closed containers and thoroughly iced. Oysters must not be packed in contact with ice.

Section 13. Oysters must be shipped the same day they are opened, unless stored at a temperature of 45 degrees F. or below, or packed in shipping containers and thoroughly iced.

Section 14. Shucked oysters, when shipped, must be delivered in clean sanitary containers.

Section 15. All containers in which shucked oysters have been shipped to an oyster packer or distributor must not be used again.

Section 16. Waste materials must not be permitted to accumulate in rooms where shucked oysters are packed and such materials must be removed daily.

Section 17. All shucking houses shall be provided with running water, soap, and clean towels to enable employees to wash their hands. Employees shall be required to wash their hands before beginning work and after visiting the toilet. Ample toilet facilities must be provided and must meet the approval of the state board of health. Toilet must be kept clean at all times.

Section 18. The outer clothing worn by persons engaged in shucking oysters shall be of material which can be readily cleansed and only clean garments shall be worn. Rubber aprons and rubber sleeves are recommended.

Section 19. No person with infectious wounds in the hands or arms shall be permitted to open oysters or handle the same.

Section 20. (a) All persons engaged in opening, packing, or handling shucked oysters must secure a certificate from the department of health of the State of South Carolina showing that bacteriological examination of specimens of urine and feces from the respective persons were negative for typhoid bacilli. Certificates must be renewed each year and after an illness of typhoid fever or suspected typhoid fever.

(b) This certificate must be carried by the recipient at all times and shown upon request.

(c) The necessary containers for urine and feces specimens will be furnished by the department, and laboratory examinations made free of charge.

(d) The management of such establishments is held responsible that employees secure certificates.

Section 21. No person afflicted with any communicable disease shall be employed in any shucking house nor shall any person so affected be permitted to enter the rooms of such shucking house where oysters are opened, packed or otherwise handled.

Section 22. No person shall be allowed to live or sleep in any room where oysters are shucked or packed.

All water that comes in contact with the shucked oysters must be drawn direct from the pipe. No drippings, from tubs or other receptacles, or water that is to come in contact with the shucked oysters, is allowed.

Clean rubber gloves must be used while removing pieces of shell and such like material from the first strainer.

Oysters that have been shucked elsewhere than in a shucking house approved by the state board of health shall not be packed.

Oysters in shell will not be allowed to be floated.

Cloak rooms shall be provided for employees.

No. 11. COOKED CRABMEAT, LOBSTER AND SHRIMP

1. Construction of plant.

1. Building where the product is handled shall be of such construction and location as to permit the production of a clean, wholesome food product. Buildings shall not be located in surroundings which may contaminate the product.

(a) **Screens:** Plant shall be completely screened, lighted and ventilated and shall be so constructed as to keep out rat infestation.

(b) **Floors:** Floors of cooking, picking, storage and packing rooms shall be constructed of impervious material preferably concrete, and the impervious material shall extend at least 18 inches up the wall; all corners shall be rounded to permit thorough cleaning. The floors shall be so constructed with a drain, preferably in or through the center, that it will carry off the water completely, and rapidly.

(c) **Walls:** Side walls and ceilings must be of material such as to permit easy and thorough cleaning and they must be maintained in sanitary condition at all times. Walls shall be painted light color and repainted as often as necessary.

2. **Layout:** Plant shall be arranged so as to separate the several different op-

erations. Picking and packing of the meat shall be done in a room separated from the cooking, cooling and trimming rooms. These rooms shall be cleaned and kept free from flies at all times.

II. Equipment

1. **Water supply:** The plant shall be provided with an adequate supply of water under pressure from a source and in a manner approved by the state board of health. This supply shall be used for all operations of the plant. Hot water in sufficient amount for all purposes shall be available at all times when plant is in operation.

2. **Sewage disposal:** Separate toilets must be provided for each sex. All toilets shall be separated from the packing and picking rooms by a solid wall. If privies are used they must be of sanitary type constructed and located under the approval of the state board of health.

3. **Lavatories (hand bowls):** Lavatories with water under pressure, soap and paper towels located convenient for employees shall be provided. At least one spigot shall be provided for every (8) people.

4. **Refrigeration:** Mechanical refrigeration or an ice box of good construction and in good repair, and capable of maintaining a temperature of below 50°, of sufficient capacity to handle the plant output shall be provided. The ice box shall have non-porous, non-corrosive lining that does not leak.

5. **Stools and chairs:** Stools and chairs shall be of smooth construction, preferably metal, washable and painted a light color and as often as necessary.

6. **Benches and tables:** Benches and tables shall be metal covered, with metal extending completely over edge of table or bench. All joints or seams shall be properly soldered.

7. **Bins or tables:** Bins or tables on which crabs are cooled or held until picked shall be of impervious material and so constructed that the water will drain from the crabs before being sent to the picking and packing rooms.

8. **Picking pans:** Picking pans shall be of smooth, non-corrosive material that will permit easy cleaning and sterilization. No agaware shall be permitted.

9. **Picking knives:** Picking knives shall be of one piece, all metal type.

10. **Blocks and hammers:** Blocks and hammers used for cracking clams must be of material other than wood and of smooth construction.

11. **Cupboard or cabinet:** A cupboard or cabinet with screen doors and metal shelves must be provided for storing sterilized pans and picking knives when not in use.

III. Operations

1. **General cleanliness of plant: equipment and utensils:** During the operating season the plant shall be used for no other purpose than the handling of the meat. Material foreign to this particular business shall not be stored in the operating part of the plant. Floors shall be cleaned thoroughly, at least once daily, or as often as necessary to keep the place in sanitary condition. The use of polluted water for flushing or cleaning is prohibited. Picking pans, picking knives and all equipment that comes in contact directly or indirectly with the meat shall likewise be thoroughly cleaned and sterilized daily. Ice boxes or refrigerators shall be cleaned each time they are emptied of the meat and sterilized with steam, hot water or a sterilization solution. All surfaces with which the meat comes in contact, such as tables, picking and packing benches, platforms, or bins for cooling, shall be cleaned and sterilized at the beginning and end of each operation. Where chlorine solutions are used the surface must be first cleaned, otherwise the chlorine is not effective.

2. **Personal cleanliness:** Before visiting the toilet all employees must remove aprons and gloves and leave them in the room where they are employed. Aprons and gloves must not be donned until hands have been thoroughly washed after visiting the toilet and before beginning work. Signs to this effect shall be maintained in conspicuous places in the plant by the operator. Outer clothing of employees shall be clean. Pickers must wear clean white APRONS and CAPS. No person with wounds on the hands or arms shall be permitted to work in the plant. No person afflicted with communicable disease shall be employed in the plant, or allowed to enter the work room. No person shall be allowed to sleep in a crabmeat plant. No loitering shall be permitted in the picking and packing rooms.

3. **Preparation of the meat:** All operations must be conducted in such a manner as to protect, as far as possible, the product from contact with unclean surfaces. Crabs must be delivered to the picking benches in clean metal containers. The washing of trimmed crabs for the purpose of removing the fat, preliminary to picking operations, is not allowed unless conducted in a sanitary manner and with water free from pollution. The meat must not be permitted to accumulate on the picking benches or in the packing room. Frequent deliveries of meat must be made to the packing room where it shall be promptly iced, preparatory to shipping. Where picking pans are used, they shall not exceed five pounds capacity and

must be of rustproof metal. When delivering meat to the packing room containers shall not be nested one on top of the other. No meat shall be returned to the picking room.

Meat must be packed promptly and placed under refrigeration. It should be subjected to minimum hand contacts. Each packer must wash his hands in running water and sterilize them prior to beginning and frequently during the packing of the meat, and do no other work while packing the meat.

4. Disposal of wastes: Waste should be placed in metal containers and removed from the plant at frequent intervals and under no circumstances shall the waste be allowed to remain in the plant over night. Wastes should be disposed of so as not to be accessible to flies or to create a nuisance.

5. Use of crab shells: Only crab shells which have been thoroughly cleaned and sterilized and protected at all subsequent times from contamination can be used and shipped. Shipping tags on these shells to be marked—"These shells shall not be used unless washed, scrubbed and sterilized."

IV. Certification of plant:

1. No person, persons, firm or corporation shall engage in the picking, preparation and sale of cooked crab, lobster or shrimp meat without a permit in full force and effect from the state board of health. Such permit may be revoked because of the violation of any of the provisions of these regulations, or bacterial examination showing focal B. Coli.

No cooked crabmeat, lobster or shrimp shall be shipped unless it is produced by a certified plant.

Permits when issued will be accompanied with permit number. All meat shall be packed in cans with permit number stamped on side of can.

All permits automatically expire annually and application must be filed for renewal. No permit shall be issued without written application.

All plants coming under this ruling shall be subject to inspection by representatives of the state board of health at any time.

No. 13. CONTROL OF MOSQUITO PRODUCTION ON IMPOUNDED WATERS

Section 1. Any person, firm, corporation, county, municipality, or other political subdivision desiring to impound water for any purpose whatever, other than for the sole purpose of watering stock, shall, prior to the initiation of any construction activities, make application to and obtain from the state board of health a construction permit for the impounding of such water.

Section 2. Such application for a construction permit shall be made in writing in the name of the person, firm, corporation, county, municipality, or other political subdivision making application, and shall be accompanied by a description of the proposed project, its purpose and its exact location; also by an accurate plat of the area to be affected showing particularly the maximum and minimum water levels and a copy of detailed specifications for clearing the proposed reservoir.

Section 3. A temporary permit for the inauguration of initial construction shall be issued by the state board of health subject to the following rules and regulations, or modifications thereof approved by the executive committee of the state board of health.

3a. All laborers employed in the construction of the dam and the impounding of the water and appurtenant work shall be housed in mosquito-proof houses when housed in camps or barracks or other communal houses, and such steps taken for control of mosquito production in the vicinity of the camps, barracks, or other communal houses as may be necessary to prevent the infection of malaria mosquitoes and the introduction of malaria into this locality.

3b. (1) In the area to be occupied by the reservoir, its branches, bights, and indentations, all brush, trees, and undergrowth below the minimum low-water elevation shall be cut off not more than 18" above the normal ground elevation and shall be removed or burned or otherwise disposed of in a manner satisfactory to the executive committee of the state board of health.

(2) In the area to be occupied by the reservoir, its branches, bights, and indentations, all brush, trees, logs, undergrowth, stumps, and other objects below the minimum low-water elevation, which if not removed would pierce the water surface at minimum water elevation or float on the surface of the impounded water soon after the impounding of the water and all of the above material that is lying on the ground or remaining in the original or new positions which might cause collection of floatage and thus constitute conditions favorable to the protection of larvae of mosquitoes capable of conveying malaria, shall be removed or burned or otherwise disposed of in a manner satisfactory to the executive committee of the state board of health prior to the impounding of water.

3c. In the area to be occupied by the reservoir, its branches, bights, indentations,

all brush, trees, and undergrowth between the minimum and maximum water elevations shall be cut off not more than 6" above the normal ground elevation and shall be removed or completely burned prior to the impounding of the water to prevent the collection and anchorage of any floatage, rafts, etc.

3d. The shoreline of the reservoir, its branches, bights, and indentations from minimum low-water level to a line five feet horizontally beyond maximum high-water level, shall be cleared and maintained clear of all brush and undergrowth. Large trees need not be removed from this strip.

3e. During the mosquito breeding season larvacides approved by the executive committee of the state board of health shall be applied regularly, in the manner directed by the executive committee of the state board of health, to any or all sections of the shore line of the reservoir, its branches, bights and indentations and to any other collections of water within the property lines of the impounding area in which mosquitoes are breeding. The use of larvacides for mosquito control may be permitted by the executive committee of the state board of health in lieu of clearing underbrush and undergrowth along any section of the shore line of the reservoir, its branches, bights, and indentations which in the judgment of the executive committee of the state board of health is better adapted to the purpose but nothing in these regulations is to be construed as authorizing the cutting and clearing of underbrush and undergrowth as an alternate to the use of larvacides for mosquito control.

3f. When possible, and advisable in the opinion of the state board of health or its executive committee, the water elevation shall be fluctuated according to schedule approved by the state board of health or its executive committee.

3g. An open walk-way for the purpose of inspections and oiling with hand sprays, shall be cleared and maintained along at least one bank of each creek, branch and bights, from the property line down to a point which can be reached by an oil spray-boat operating from the lake.

3h. All depressions which will be filled with water from the reservoir, its branches, bights, and indentations at time of maximum water level, in which water will be retained at lower stages of the water level, thus forming separate pools, shall be connected with the normal body of the reservoir, or any of its branches, bights, or indentations, with a ditch which will permit complete drainage, or shall be controlled by the regular, periodic use of approved larvacides as permitted and directed by the executive committee of the state board of health.

Section 4. A preliminary permit for the impounding of water having been granted by the executive committee of the state board of health, and construction work on the project begun, a representative or representatives of the state board of health shall make inspections of the project from time to time or as requested by the permit holder; and the state board of health shall approve in writing that portion of the work as is outlined in section 3 of the regulations which has been satisfactorily completed. As the said representative of the state board of health determines that the preliminary permit holder has complied with the provisions of sub-section 3b of these regulations and as it shall appear that the preliminary permit holder has complied with the provisions of sub-section 3c of these regulations the permit holder may thereupon proceed gradually as authorized by written approval from the executive committee of the state board of health, with the impounding of water to a level specified by said state board of health, and, when it shall appear that the permit holder has complied with the provisions of sub-sections 3a, 3b, 3c and 3d of these regulations to the satisfaction of the executive committee of the state board of health, said executive committee of the state board of health shall certify such fact to the permit holder in writing and the permit holder may thereupon proceed with the impounding of water to maximum high-water level.

Section 5. The executive committee of the state board of health shall thereupon issue a final permit for the maintenance of an impounding project by said applicant, the validity of such permit being contingent upon the observance of sub-sections 3d, 3e, 3f, 3g, and 3h and the following:

5a. During the mosquito breeding season the permit holder shall regularly and frequently remove all floatage and floating debris in the reservoir, its branches, bights, and indentations which are producing mosquitoes, and shall during mosquito breeding season satisfactorily apply such larvacides as are approved, and in the manner directed by the executive committee of the state board of health to all *anopheles* breeding areas of the reservoir or parts of the impounded water.

5b. After the water has been impounded the executive committee of the state board of health through its representative shall make such inspections of the impounded waters and adjacent areas as are deemed essential; and any conditions found on the impounded water project that are, or may be detrimental to the public health, or are likely to cause an increase of malaria, shall be modified by the permit

holder so as to be satisfactory to the executive committee of the state board of health.

5c. These regulations shall govern any change in water level and as soon as any proposed changes affecting the maximum elevation are contemplated, the executive committee of the state board of health shall be notified in writing.

5d. No waters impounded in the future shall be used as a source of domestic water supply unless upon written approval from the executive committee of the state board of health, and under conditions stipulated in such permit.

Section 6. Failure to comply with the provision of any section or sub-section of these regulations, after notice thereof, constitutes a violation thereof, and shall constitute according to section 5003, Code of 1942, a misdemeanor, punishable as provided in that section.

SCHOOLS

Section 1. Heating, lighting and ventilation.

All schools and colleges in South Carolina must be properly heated and lighted and provided with proper methods of ventilation sufficient to furnish each pupil 3,000 cubic feet of fresh air per hour.

Section 2. Drinking water—abolition of common drinking cup.

All schools must be provided with an adequate supply of pure drinking water, and proper care must be taken by the school trustees to prevent contamination of surface wells. The use of the common drinking cup is forbidden in all schools in South Carolina.

Section 3. Sanitary toilets, septic tanks or privies to be provided for all schools.

Separate privies must be provided in every school in South Carolina for girls and boys. Where there is no sewerage system or septic tanks these privies must be built according to the plans approved by the state board of health.

Section 4. Dry sweeping prohibited.

All schools must be swept at least one hour before school opens, and no sweeping permitted during school hours.

Section 5. Proper fire escape.

The doors to all school houses in South Carolina must open outward and adequate fire escapes must be provided in all schools over one story in height. Fire drills must be held once each month.

Section 6. Vaccination.

No child shall be admitted to any school in South Carolina unless successfully vaccinated within the last ten years.

Section 7. Contagious diseases.

Children suffering from contagious diseases shall not be allowed to attend school except upon written permission from the attending physician stating the child can no longer transfer the disease from which he or she suffered. Children coming from a household in which contagious disease exists, not suffering from said contagious disease, may attend school upon written certificate from attending physician stating that the child has not been exposed to the disease for the maximum period of incubation of that disease, or in the case of smallpox, provided the child has complied with the laws relative to vaccination against this disease or until said child has been insured against further contact with the case of smallpox.

Section 8. No person, teacher or others shall be employed in any capacity in or about a building for school purposes who is infected with tuberculosis in a communicable stage or any other communicable disease, nor shall a child so infected be allowed in the schools of this State, public or private.

No. 14. MISCELLANEOUS REGULATIONS

Section 1. All textile and industrial plants, mercantile establishments and other places where more than five people are employed are required to furnish their employees sanitary drinking fountains, or individual sanitary drinking cups, and to keep receptacles in which drinking water is kept properly covered so as to exclude dust, etc.

Section 2. Drinking fountains--If drinking fountains are furnished and are the bubbling type, they shall be so made that the drinking is from a free jet projected at an angle to the vertical, and not from a jet that is projected vertically or that flows through a filled cup or bowl.

Section 3. Spitting on the floors or walls of any public buildings, boats, railroad cars, buses, or any buildings opened to or frequented by the public is hereby strictly forbidden.

No. 15. NUISANCES--DEFINED

Section 1. Whatever is dangerous to human health, whatever renders the ground

air or food a hazard or injury to human health, and the following acts, conditions and things, are, each and all of them, hereby declared to constitute a nuisance:

(a) The maintenance of any barn, stable, chicken yard or manure pile in such manner that the same is a breeding place for flies or liable to become so if within 500 feet of a residence.

(b) The deposit of garbage in any but fly-proof and watertight receptacles, where residences are less than 500 feet apart.

(c) The accumulation of water in which mosquito larvae may breed.

(d) Growth of weeds where mosquitoes may harbor or rubbish may be concealed, where residences are less than 500 feet apart.

(e) The maintenance of any except sanitary privies where residences are less than 500 feet apart.

(f) The keeping of any building, or any part of a building, which, on account of its dilapidated condition or its occupancy by any person afflicted with communicable disease, or by filthy tenants, may endanger the life or health of residents therein or in the vicinity thereof.

(g) The discharge of sewage, garbage or any other organic filth into or upon any place in such manner that transmission of infective material to human beings may result therefrom.

(h) The maintaining or carrying on of manufacture of chemicals, or any other trade or manufacture in such manner as to be a menace to the public health through improper or inadequate disposal of dust wastes or fumes.

Section 2. No house refuse, offal, garbage, dead animals, decaying vegetable matter, or organic waste of any kind shall be thrown upon any street, road, or public place; and no such refuse, putrescible or decaying animal or vegetable matter shall be kept in house, cellar, or adjoining outhouses or premises for more than forty-eight hours in any incorporated or unincorporated city, town, village, or built-up community. All receptacles for such garbage, etc., shall be so constructed as to be of sufficient dimensions for the reception of all garbage, and shall be water-tight, made of tight-matched lumber or galvanized iron, and shall stand at least nine inches from the ground, and be provided with a suitable cover, which must be kept properly adjusted to same, so as to protect the contents from flies, insects, rats and animals, or vermin. All garbage or refuse contents must be emptied at least once every forty-eight hours.

No. 18.

SWIMMING POOLS

Section 1. Classification of bathing places--Bathing places may be divided into three classes:

a. Natural outdoor ponds, rivers, tidal waters, etc.

b. Outdoor pools which are partly artificial and partly natural in character.

c. Pools, outdoor or indoor which are entirely of artificial construction.

Natural ponds and rivers are necessarily dependent upon natural flow or upon wind and wave action for circulation of the water. Artificial and partly artificial pools may be divided into four classes, according to the method by which water is obtained.

a. Large semi-artificial pools in which the water cleanliness is maintained by natural flow or circulation.

b. Fill and draw pools where cleanliness of water is maintained by complete removal and replacement of the water at periodic intervals.

c. Flowing through pools where cleanliness is maintained by circulation of water through the pool from some natural or artificial source, but where the outflowing water is wasted.

d. Recirculation pools in which the circulation of water is maintained through the pool by pumps, the water drawn from the pool being clarified by filtration before being returned.

Section 2. General principles of bathing place sanitation.

a. All public bathing places, both natural and artificial, shall have the standard of cleanliness and bacterial purity of the water, and the precaution against the possible spread of disease as set forth in section 20.

b. All artificial and semi-artificial pools, whether located indoors or outdoors, shall be so designed and have the necessary equipment to maintain cleanliness of the pool, and maintain the same purity of the water with which the pool is filled.

c. At all public bathing beaches on natural waters the same sanitary standards shall apply to bathing houses, dressing rooms, toilet facilities, and to the handling and care of bathing suits, towels and other bathing apparel.

d. Sanitary drinking fountains with a supply of pure water shall be installed at all bathing places.

e. The common use of towels, drinking cups, combs, hair brushes and other toilet articles is prohibited.

Section 3. Bathing beaches.

a. The water at all public bathing beaches on natural streams, lakes and tidal waters shall be of the same standard and quality as is required for pools.

b. The shore and bottom of a natural beach shall be covered with not less than 12 inches of good sand where the water is less than 6 feet deep, and shall be free from obstructions, swift and dangerous currents, no sudden drops, holes or submerged rocks, within the bathing area.

Section 4. Location and layout of the pool.

a. The layout and entrances and exits in relation to dressing rooms, showers, and toilets should be such as to enforce proper routine of bathers. Coming from the dressing room a bather should be required to pass the toilet and go through the shower room before arriving at the pool entrance, and should leave the pool contrariwise. Entrances and exists should be located at shallow-water portion of the pool.

b. At pools used simultaneously by both sexes, separate entrances and exits shall be provided for men and women. There shall be no connection between the men and women's quarters.

Section 5. Design and construction

a. Material which will provide a tight tank with smooth and easily cleaned surfaces shall be used for artificial pools.

b. The pool shall be so designed that there will be complete circulation of water through all parts of the pool during bathing periods.

c. Artificial pools shall be so designed that the shallow water will be at one end and the deep water at, or near, the other end.

d. The deep portion of any pool shall not be less than 6 feet.

e. The slope of the bottom of any part of the pool where the depth of the water is less than 6 feet shall not be more than 1 foot to 15 feet. There shall be no sudden changes in depth within the area where the water is less than 6 feet.

f. The side and end walls on all artificial and semi-artificial pools shall be vertical.

g. In all artificial or semi-artificial pools the corners shall be rounded. The use of paint or similar material to obtain a light colored finish shall not be permitted.

Section 6. Proportioning pool area

a. An area extending 10 feet from the extremity of a diving board or tower shall be considered as reserved for divers, and not more than 3 persons shall be permitted in the water in this area at one time when diving is in progress.

b. The requirements for adult swimmers is 36 square feet, and non-swimmers is 10 feet.

Section 7. Inlets and outlets

a. All pools shall be provided with sufficient outlet at the deepest point of sufficient size to permit the complete emptying of the pool in 4 hours or less. Outlet openings in the floor shall be at least 4 times the area of the discharge pipe to reduce suction currents.

b. Inlets for fresh or re-purified water shall be so located as to produce, as far as possible, a uniform circulation of the water throughout the entire pool.

Section 8. Scum gutters

a. All artificial pools shall have scum gutters completely around the pool. The design shall be such that the top of the gutter will be on a level and the inside on such a grade that all water going into the gutter will flow to the outlet.

b. The edge of the scum gutter shall be so constructed as to serve as a hand-hold for the bathers.

c. All scum gutters shall be recessed into the pool wall.

Section 9. Steps and ladders

a. All steps and ladders shall be of such construction as to minimize danger of accidents. The tread shall be of nonslip material. All steps and ladders shall have hand rails on either side leading out over the runway.

Section 10. Runways and sidewalks

a. There shall be a runway extending around the entire pool not less than 4 feet wide, of material which can be easily cleaned and of non-slip construction. This runway shall be so constructed that water cannot drain back into the pool.

b. The use of sand or grass for runways is not allowed.

Section 11. Dressing rooms

a. Bath houses to be used simultaneously by both men and women shall be in two parts, one for each sex, entirely separated by tight partitions.

b. Floors of all dressing rooms and lockers shall be of smooth finish material, impervious to moisture, with no open cracks or joints; all floors shall have a pitch of at least one-quarter inch to the foot and shall slope to a proper drain to permit

washing down with a hose. All junctions of the floors to side walls shall be finished with rounded joints.

c. All partitions between dressing compartments shall terminate not less than 4 inches from the floor to permit flushing of the entire floor area.

d. All dressing rooms and appurtenances shall be kept clean at all times. All lockers and floors shall be sprayed at frequent intervals with an insecticide and disinfectant.

Section 12. Showers, toilets, and lavatories

a. Adequate shower bath facilities with both hot and cold water shall be provided at all artificial pools. The minimum number of showers provided shall be in the proportion of one for each 40 bathers.

b. At public bathing beaches a sufficient number of showers shall be provided to permit all bathers to rinse off sand and dirt before entering dressing rooms.

c. Adequate and proper toilet facilities for each sex shall be provided at all pools and beach bath houses. The minimum number shall be one toilet for each 40 women, and one toilet and one urinal for each 60 men.

d. Water flush toilets shall be used, and where no sewer line is available, septic tanks of a type approved by the State Board of Health shall be installed.

e. Lavatories located adjacent to toilets shall be provided at all swimming pools in the proportion of one for each 60 persons using the pool.

Section 13. Lighting, ventilation, and heating

a. A complete system of artificial lighting shall be provided for all pools, bathing beaches, bath houses, and dressing rooms which are to be used at night.

b. Lighting fixtures shall be of such number and design as to light all parts of the pool and the water therein.

c. Arrangement and design of lights shall be such that life guards may see clearly every part of the bathing waters at a beach or pool, and all spring boards, towers, floats, and other apparatus without being blinded by the light.

d. All indoor pools and all bath houses, dressing rooms, shower rooms, and toilets at both indoor and outdoor pools and beaches shall be properly ventilated.

Section 14. Diving towers, springboards, and floats--Diving towers shall be rigidly constructed and properly anchored. Fixed platforms and floats shall have an air space of at least a foot beneath. At least 12 feet free head room shall be provided above diving boards and towers. No diving board more than 10 feet above water level shall be permitted, and the following safe depths for diving are recommended: One foot platform, 5 feet; 3-foot platform, 6 feet; 5-foot platform, 7 feet; 7-foot platform, 8 feet; 10-foot platform, 9 feet.

Section 15. Emergency equipment

a. Pole hooks, ropes, buoys, and other necessary life-saving equipment shall be provided and be readily accessible at all pools and bathing places.

b. A first aid kit containing aromatic ammonia, tincture of iodine, sterile gauze, absorbent cotton, surgeon's plaster and bandages of various widths shall be provided for emergency use at all public bathing places.

c. At all beaches the bathing area shall be marked off by ropes or some other satisfactory markers.

Section 16. Suits, towels

a. At indoor pools used exclusively by men, nude bathing is required, and at indoor pools used exclusively by women, bathing suits shall be of the simplest type.

b. All suits and towels shall be kept strictly separate from those which have been used and unlaundered. Clean suits and towels shall not be stored on shelves, handled in baskets or passed out over counters where soiled suits have been.

c. All suits and towels shall be washed with soap and boiling water, rinsed and thoroughly dried each time they are used.

Section 17. Attendants

a. A swimming instructor, bathing master, or other qualified attendant shall be on duty at the pool site at all times when the pool is open to use by bathers. Such attendant shall have full charge of bathing and is authorized to enforce all rules of safety and sanitation.

b. At all public beaches one or more life guards shall be on duty during all bathing hours.

c. No bather shall be permitted to enter the pool enclosure unless an attendant or other competent person is present.

d. Whenever a pool is empty, entrance of all persons except pool attendants must be prevented.

Section 18. Personal regulations

a. All persons using a swimming pool shall, before entering a pool, take a shower bath.

b. Any person having any skin disease, sore or inflamed eyes, cold, nasal or ear

discharges, or any communicable disease, shall not be allowed to use any public swimming pool.

c. Spitting, spouting of water, blowing the nose, etc., in the pool is prohibited.

d. Placards giving the above information shall be conspicuously posted in the pool room and enclosure.

Section 19. Chemical and physical quality of swimming pool water

a. All artificial pools are required to chlorinate the water entering the pool, and there shall be at all times, when the pool is in use, an excess of not less than 0.2 parts per million of available chlorine nor more than 0.5 parts per million.

b. All swimming pool water where chlorine is used shall show an alkaline reaction and the pH shall be not less than 7.5 nor more than 8.3.

c. At all times, when the pool is in use, the water shall be sufficiently clear to permit a black disk, six inches in diameter on a white field, when placed on the bottom of the pool at the deepest point, to be clearly visible from the sidewalks of the pool at all distances up to 10 yards, measured from a line drawn across the pool through said disk.

Section 20. Bacterial quality of swimming pool water--Whenever streptococci bacteria is found in the water of any swimming pool or bathing place, the pool or beach shall be closed until the water is found to be free from this bacteria.

1. Indoor and outdoor artificial pools:

a. Total bacteria colony count—Not more than 1 sample out of any series of 5 samples of water, taken over any period of 2 weeks while pool is in use, shall show a total bacteria colony count of more than 200 per cubic centimeter of water.

b. Coli-aerogenes bacteria count—Not more than 1 sample out of any series of 5 samples of water, taken over any period of 2 weeks while pool is in use, shall show a count of more than 50 to 60 bacteria of the coli-aerogenes group per 1,000 cubic centimeters of water.

2. Ponds, lakes, streams, beaches—Not more than 1 sample out of any series of 5 samples of water, taken over any period of 2 weeks while bathing place is in use, shall show a count of more than 1,000 bacteria of the coli-aerogenes group per 100 cubic centimeters of water.

Section 21. Cleaning pool

a. Visible dirt on the bottom of a swimming pool shall not be permitted to remain more than 24 hours.

b. Any visible scum of floating material on the surface of the pool shall be removed within 24 hours by flushing or other effective means.

Section 22. Bathing load limit--The total number of bathers using a swimming pool during any period of time shall not exceed 20 persons for each 1,000 gallons of clean water added to the pool during that period. The term "clean water," as used above, is interpreted to mean new clean water used to refill the pool.

Section 23. Operating control

a. Tests shall be made by the orthotolodine test for excess chlorine at frequent intervals.

b. Tests shall be made for alkalinity with a proper outfit for reading the pH of the water daily.

Section 24. Plans and specifications

a. No artificial swimming pool shall be built without the approval of the state board of health.

b. Plans and specifications shall be submitted in duplicate showing the location and type of equipment to be used, and such plans and specifications shall be approved by the state health officer before construction is begun.

Section 25. All swimming pools shall be inspected by the health officer, and if they do not conform to such rules and regulations, the public shall be notified.

No. 19.

RAILROADS

Section 1. Persons not allowed to travel--No person knowing or suspecting himself to be afflicted with plague, cholera, smallpox, typhus fever, or yellow fever, shall apply for, procure or accept transportation in any railway train, car, or other conveyance of a common carrier, nor shall any person apply for, procure, or accept such transportation for any minor, ward, patient, or other person under his charge if known or suspected to be so afflicted.

Section 2. Persons not accepted for travel--Common carriers shall not accept for transportation in any railway train, car, or other conveyance, any person known by them to be afflicted with any of the diseases enumerated in section 1.

Section 3. Restricted travel--Common carriers shall not accept for transportation on any railway train, car, or other conveyance, any person known by them to be afflicted with diphtheria, measles, scarlet fever (epidemic), cerebro-spinal meningitis, anterior poliomyelitis, mumps, whooping cough, influenza, pneumonia, epi-

demic encephalitis, septic sore throat, rubella, or chicken pox, or any person known to be a carrier of these diseases, unless such person is placed in a compartment separate from other passengers, is accompanied by a properly qualified nurse or other attendant, and unless such nurse or attendant shall agree to comply and does comply with the following regulations:

(a) Communication with the compartment within which the patient is traveling shall be restricted to the minimum consistent with the proper care and safety of the patient.

(b) All dishes and utensils used by the patient shall be placed in a 5 per cent. solution of carbolic acid or other fluid of equivalent disinfecting value for at least one hour after they have been used, and before being allowed to leave the compartment.

(c) All sputum and nasal discharges from the patient shall be received in gauze or paper, which shall be deposited in a paper bag or in a closed vessel, and shall be destroyed by burning.

(d) Said nurse or attendant shall, after performing any service to the patient, at once cleanse the hands by washing them in a 2 per cent. solution of carbolic acid or other fluid of equivalent disinfecting value.

Section 4. Typhoid and dysentery--Common carriers shall not accept for transportation on any railway train, car, or other conveyance, any person known by them to be afflicted with typhoid fever, paratyphoid fever, or dysentery, unless said person is placed in a compartment separate from the other passengers, is accompanied by a properly qualified nurse or other attendant, and unless said nurse or attendant shall agree to comply and does so comply with the following regulations:

(a) Communication with the compartment in which the patient is traveling shall be limited to the minimum consistent with the proper care and safety of the patient.

(b) All dishes and utensils used by the patient shall be placed in a 5 per cent. solution of carbolic acid or other fluid of equivalent disinfecting value for at least one hour after they have been used and before being allowed to leave the compartment.

(c) All urine and feces of the patient shall be received into a 5 per cent. solution of carbolic acid or other fluid of equivalent disinfecting value, placed in a covered vessel, thoroughly mixed, and allowed to stand for at least two hours after the last addition thereto before being emptied.

(d) A sheet of rubber or other impervious material shall be carried and shall be spread between the sheet and the mattress of any bed that may be used by the patient while in transit.

(e) Said nurse or attendant shall use all necessary precautions to prevent the access of flies to the patient or his discharges, and after performing any service to the patient, shall at once cleanse the hands by washing them in a 2 per cent. solution of carbolic acid or other fluid of equivalent disinfecting value.

(f) *Provided*, that if a person with typhoid or dysentery is presented at a railway station in ignorance of these regulations, and his transportation is necessary as a life-saving and safe guarding measure, an emergency may be declared and the patient may be carried a reasonable distance in a baggage car if accompanied by an attendant responsible for his care and removal: *provided, also*, that regulations (a), (b), (c), (d), and (e) of this section shall be complied with in so far as the circumstances will allow, and that all bedding, clothing, rags or cloths used by the patient shall be removed with him: *and provided further*, that any parts of the car which have become contaminated by any discharges of the patient shall be disinfected as soon as practicable, but not later than the end of the run, by washing with a 5 per cent. solution of carbolic acid or other fluid of equivalent disinfecting value.

Section 5. Restricted application for transportation--No person knowing or suspecting himself to be afflicted with any of the diseases mentioned in sections 3 and 4, shall apply for, procure, or accept transportation in any railway train, car, or other conveyance of a common carrier, nor shall any person apply for, procure, or accept such transportation for any minor, ward, patient, or other person under his charge, if known or suspected to be so afflicted, unless he shall have agreed to and made all necessary arrangements for complying and does so comply with the regulations set forth in said sections 3 and 4.

Section 6. Suspected cases--If a conductor or other person in charge of a railway train, car, or other conveyance of a common carrier, or an agent or other person in charge of a railway station, shall have any reason to suspect that a passenger or a person contemplating passage is afflicted with any of the diseases enumerated in sections 1, 3 and 4, he shall notify the nearest health officer, or company physician, if the health officer is not available, by the quickest and most practicable means possible, of his suspicions, and said health officer or physician shall immediately proceed to the train, car, or other conveyance at the nearest possible point, or to the railway station, to determine whether such disease exists.

Section 7. Disposition--If the health officer or physician as provided for in section 6 shall find any such person to be afflicted with any of the diseases enumerated in sections 1, 3 and 4, he shall remove such person from the station or conveyance, or shall isolate him and arrange for his removal at the nearest convenient point; shall treat the car or other conveyance as infected premises, allowing it to proceed to a convenient place for proper treatment if in his judgment consistent with the public welfare, in such case notifying the health officer in whose jurisdiction the place is located; and shall take such other measures as will protect the public health: *provided*, that if not prohibited in sections 1 and 2 of these regulations afflicted person so found may be allowed to continue his travel if arrangements are made to comply, and he does so comply, with the requirements of the section of these regulations pertaining to the disease with which he is afflicted.

Section 8. Leprosy--Common carriers shall not accept for transportation nor transport in any railway train, car, or other conveyance, any person known by them to be afflicted with leprosy, unless such person presents permits from the surgeon general of the United States public health service or his accredited representative, and from the state department of health of the State from which and to which he is traveling, stating that such person may be received under such restrictions as will prevent the spread of the disease, and said restrictions shall be specified in each instance; and no person knowing or suspecting himself to be afflicted with leprosy, nor any person acting for him, shall apply for, procure, or accept transportation from any common carrier unless such permits have been received and are presented, and unless the person so afflicted agrees to comply and does so comply with the restrictions ordered. If any agent of a common carrier shall suspect that any person in a train, car, or other conveyance, or at a railway station, is afflicted with leprosy, he shall proceed as directed in the case of other suspected diseases in sections 6 and 7 of these regulations.

Section 9. Pulmonary tuberculosis--Common carriers shall not accept for transportation any person known by them to be afflicted with pulmonary tuberculosis in a communicable stage, unless said person is provided with (a) a sputum cup made of impervious material and so constructed as to admit of being tightly closed when not in use, (b) a sufficient supply of gauze, papers, or similar articles of the proper size to cover mouth and nose while coughing or sneezing, (c) a heavy paper bag or other tight container for receiving the soiled gauze, paper, or similar article; and unless such person shall obligate himself to use the articles provided for in the manner intended and to destroy said articles provided for in the manner intended and to destroy said articles by burning or to disinfect them by immersing for at least one hour in a 5 per cent. solution of carbolic acid or other solution of equivalent disinfecting value; nor shall any person knowing himself to be so afflicted apply for, procure or accept transportation unless he shall have agreed to and made all necessary arrangements for complying and does so comply with the regulations as set forth in this section.

Section 10. Conveyances vacated by infected persons--Immediately after vacation by a person having any of the diseases mentioned in sections 1, 3, 4 and 8, any berth, compartment, or stateroom should be closed and not again occupied until properly cleaned and disinfected, and all bedding, blankets and linen in any such place should be laundered or otherwise thoroughly cleaned and disinfected before being again used.

II. WATER AND ICE SUPPLIES

Section 11. Water to be certified--Water provided by common carriers for drinking or culinary purposes in railway trains, cars, or other conveyances, or in railway stations, shall be taken from supplies certified by the United States public health service as meeting the required standards of purity and safety prescribed by the interstate quarantine regulations of the United States.

Section 12. Ice--Ice used for cooling water provided as in section 11 shall be clear natural ice, ice made from distilled water, or ice made from water certified as aforesaid; and before the ice is put into the water it shall be washed with water of known safety, and handled in such a manner as to prevent its becoming contaminated by the organisms of infectious diseases: *provided*, that the foregoing shall not apply to ice that does not come in contact with the water to be cooled.

Section 13. Water containers--Water containers in newly constructed cars shall be so constructed that ice for cooling does not come in contact with the water to be cooled.

Section 14. Care of water containers--All water containers where water and ice are put into the same compartment shall be thoroughly cleansed at least once in each week that they are in use. All water containers and water storage tanks shall be thoroughly drained and flushed at intervals of not more than one month.

Section 15. Filling water containers--Portable hose or tubing that is used for filling drinking water containers, or car storage tanks from which such containers are filled, shall have smooth metal nozzles, which shall be protected from dirt and contamination; and before the free end or nozzle of said hose or tubing is put into the water container or car storage tank it shall be flushed and washed by a plentiful stream of water.

III. CLEANING AND DISINFECTING OF CARS

Section 16. General--All railway passenger cars or other public conveyances shall be kept in a reasonably clean and sanitary condition at all times when they are in service, to be insured by mechanical cleaning at terminals and lay-over points.

Section 17. Cleaning--All day coaches, parlor cars, buffet cars, dining cars, and sleeping cars shall be brushed, swept and dusted at the end of each round trip, or at least once in each day they are in service, and shall be thoroughly cleaned at intervals of not more than seven days.

Section 18. Thorough cleaning--Thorough cleaning shall consist of scrubbing the exposed floors with soap and water; similarly scrubbing the toilets and toilet-room floors; wiping down the woodwork with moist or oiled cloths; thorough dusting of upholstery and carpets by beating and brushing; or by means of the vacuum process or compressed air; washing or otherwise cleaning windows; and the thorough airing of the car and its contents.

Section 19. Odors in cars--When offensive odors appear in toilets or other parts of the car which are not obliterated and removed by cleaning as in section 18, said toilets or other parts of the car shall be treated with a 2 per cent. solution of formaldehyde or other odor-destroying substance.

Section 20. Vermin in cars--Whenever a car is known to have become infested with bedbugs, lice, fleas, or mosquitoes, such car shall be so treated as to effectively destroy such insects, and it shall not be used in service until such treatment has been given.

IV. CARS IN SERVICE

Section 21. Cleaning--The cleaning of cars while occupied shall be limited to the minimum consistent with the maintenance of cleanly conditions, and shall be carried out so as to cause the least possible raising of dust or other annoyance to passengers.

Section 22. Sweeping--Dry sweeping of the interior of a car in transit with an ordinary broom is prohibited.

Section 23. Dusting--Dry dusting of the interior of a car in transit is prohibited.

Section 24. Brushing--The brushing of passengers clothing in the body of the car in transit is prohibited.

Section 25. Drinking cups--Individual drinking cups in sufficient number shall be supplied in all cars, and the use of common drinking cups is prohibited.

Section 26. Towels--The supplying of roller towels for common use in cars is prohibited.

Section 27. Comb and brush--The supplying of combs and brushes for common use in cars is prohibited.

Section 28. Spitting--Spitting on the floors, carpets, walls or other parts of cars by passengers or other occupants of them is prohibited.

Section 29. Cuspidors--An adequate supply of cuspidors shall be provided in all sleeping cars, smoking cars, and smoking compartments of cars while in service. Said cuspidors shall be cleaned at the end of each trip, and oftener if their condition requires.

Section 30. Brushing of teeth--Spitting into, blowing the nose into, or brushing the teeth over wash basins in car is prohibited. Separate basins for brushing the teeth shall be provided in the washrooms of sleeping cars.

Section 31. Drinking water and ice--Drinking water and ice on railway cars shall be supplied in accordance with the conditions set forth in sections 11, 12, 13, 14 and 15 of these regulations.

Section 32. Ventilation and heating--All cars when in service shall be provided with an adequate supply of fresh air, and in cold weather shall be heated so as to maintain comfort. When artificial heat is necessary, the temperature should not exceed 70° F., and in sleeping cars at night after passengers have retired, it should not exceed 60° F.

Section 33. Toilets in cars--A proper toilet room and lavatory shall be provided in all railway passenger cars for the use of their occupants. Such toilet shall be supplied with toilet paper, soap and free or pay clean towels, and shall be kept in a clean and sanitary condition: *provided*, that cars used exclusively in suburban service are not required to be so equipped.

Section 34. Toilets to be locked--The toilet rooms in all railway cars shall be locker or otherwise protected from use while trains are standing at stations, passing

through cities, or passing over waterheads draining into reservoir furnishing domestic water supplies, unless adequate water-tight containers are securely placed under the discharge pipe. The state health authority having jurisdiction shall designate the area of water-sheds that may be affected by pollution from railroads and shall notify the managing officers of railroads as to the points between which all toilets shall be locked.

Section 35. Lavatories in dining cars.--A lavatory shall be provided in all dining cars for the use of dining car employees, and the same shall be supplied with soap and clean towels, and shall be kept in a clean and sanitary condition. Such lavatory shall have no direct connection with the kitchen, pantry, or other places where food is prepared. The word "dining car" as used in these regulations shall be held to include all cars in which food is prepared and served.

Section 36. Dining cars to be screened.--Dining cars shall be screened against the entrance of flies and other insects, and it shall be the duty of dining car employees to destroy flies or other insects that may gain entrance.

Section 37. Dining car employees to cleanse hands.--Dining car employees shall thoroughly cleanse their hands by washing with soap and water after using a toilet or urinal, and immediately before beginning service.

Section 38. Care of tableware.--All cooking, table and kitchen utensils, drinking glasses and crockery used in the preparation or serving of food or drink in dining cars shall be thoroughly washed in boiling water and suitable cleansing material after each time they are used.

Section 39. Food containers.--Refrigerators, food boxes, or other receptacles for the storing of fresh food in dining and buffet cars shall be emptied and thoroughly washed with soap and hot water at least once in each seven days that they are in use.

Section 40. Food and milk.--No spoiled or tainted food, whether cooked or uncooked, shall be served in any dining car; and no milk or milk products shall be served unless the milk has been pasteurized or boiled.

Section 41. Garbage.--Garbage cans in sufficient number and with suitable tight-fitting covers shall be provided in dining cars to care for all refuse food and other wastes, and such wastes shall not be thrown from the car along the right of way within the limits of cities, towns or villages, or within drainage areas furnishing domestic water supplies.

Section 42. Dining car inspection.--The person in charge of the dining car shall be responsible for compliance with all dining car regulations, and he shall make an inspection of the car each day for the purpose of maintaining a rigorous cleanliness in all portions thereof.

Section 43. Examination of food handlers.--No person shall serve as a cook, waiter, or in any other capacity in the preparation of serving of food in a dining car who is known or suspected to have any dangerous communicable disease. All persons employed for such service shall undergo a physical examination by a competent physician before being assigned to service, and before returning to work after any disabling illness, and at such other times during their service as may be necessary to determine their freedom from such diseases, and shall be immediately relieved from service if found to be so afflicted.

V. RAILWAY STATIONS

Section 44. General.--All railway stations, including their waiting rooms, lunch rooms, restaurants, wash rooms, and toilets, shall be kept in a clean and sanitary condition at all times, to be insured by mechanical cleaning at regular intervals.

Section 45. Cleaning.--All waiting rooms and other rooms used by the public shall be swept and dusted daily; and at intervals of not more than seven days the floors shall be scrubbed with soap and water, and the seats, benches, counters and other woodwork shall be similarly scrubbed, or shall be rubbed down with a cloth moistened with oil.

Section 46. Sweeping.--If sweeping is done while rooms are occupied or open to occupancy by patrons, the floor shall be first sprinkled with wet sawdust or other dust-absorbing material.

Section 47. Dusting.--If dusting is done while rooms are occupied or open to occupancy by patrons, the floor shall be first sprinkled with wet sawdust or other dust-absorbing material.

Section 47. Dusting.--If dusting is done while rooms are occupied or open to occupancy by patrons, it shall be done only with cloths moistened with water, oil, or other dust-absorbing material.

Section 48. Spitting.--Spitting on the floors, walls, seats or platforms of railway stations is prohibited.

Section 49. Cuspidors.--In all waiting rooms where smoking is permitted, an ade

quate supply of cuspidors shall be provided; such cuspidors shall be cleaned daily, or oftener if their condition requires.

Section 50. Common cups--Individual drinking cups in sufficient number shall be supplied in all stations, and the use of common drinking cups is prohibited.

Section 51. Common towels--The supplying of roller towels or other towels for common use in railway stations is prohibited.

Section 52. Combs and brushes--The supplying of combs and brushes for common use in railway stations is prohibited.

Section 53. Toilet facilities--All railway stations where tickets are sold shall provide adequate toilet facilities of a design approved by the state department of health, for the use of patrons and employees; and there shall be separate toilets for each of the two sexes.

Section 54. Station toilets--If a railway station is located within 300 feet of a public sewer, water flushing toilets shall be installed and permanently connected with such sewer, and a wash basin or basins shall be located near the toilet and similarly connected; and such toilets and lavatories shall be kept in repair and in good working order at all times.

Section 55. Care of toilets--All toilets installed as set forth in section 54 shall be cleaned daily by scrubbing the floors, bowls and seats with soap and water.

Section 56. Odors in toilets--When offensive odors appear in toilets which are not obliterated and removed by cleaning as in section 55, said toilets shall be treated with a 2 per cent. solution of formaldehyde or other odor-destroying substance.

Section 57. Toilet supplies--Toilets and wash rooms installed as set forth in section 54 shall be constantly furnished with an adequate supply of toilet paper, soap and free or pay clean towels.

Section 58. Privies--If no sewer connection is available as set forth in section 54, a sanitary privy of a design approved by the state department of health shall be maintained within a reasonable distance from the station. Such privy shall be adequately protected against the entrance of flies, shall be kept supplied with toilet paper, the seats shall be kept clean, and the vaults shall be treated with sodium hydrate or other approved disinfectant at least once in each week and shall be cleaned out and emptied at such intervals as will avoid the development of a nuisance.

Section 59. Drinking water and ice--Drinking water and ice in railway stations shall be supplied in accordance with sections 11, 12, 13, 14, and 15 of these regulations.

Section 60. Water not usable for drinking--If water which does not conform to the standards set forth in section 11 of these regulations is available at any tap or hydrant or in a railway station, a notice shall be maintained on each such tap or hydrant which shall state in prominent letters, "Not fit for drinking."

Section 61. Drinking fountains--If drinking fountains of the bubbling type are provided in any railway station, they shall be so made that the drinking is from a free jet projected at an angle to the vertical, and not from a jet that is projected vertically or that flows through a filled cup or bowl.

Section 62. Refuse cans--At all railway stations where there is an agent, there shall be provided and maintained an adequate supply of open or automatically closing receptacles for the disposition of refuse and rubbish, and such receptacles shall be emptied daily and kept reasonably clean and free from odor.

Section 63. Cisterns, cesspools, etc.--All cisterns, water-storage tanks and cesspools in or about railway stations shall be adequately screened against the entrance of mosquitoes, and all collections of surface water on station property shall be drained or oiled during the season of mosquito flight, to prevent the breeding of mosquitoes.

Section 64. Restaurants to be screened--All restaurants and lunch rooms, or other places where food is prepared or served in a railway station, shall have doors, and windows adequately screened against the entrance of flies during the season of flight of these insects; and all food on display or storage racks shall be adequately covered.

Section 65. Lavatories for Restaurants--A lavatory of easy and convenient access shall be provided for the use of employees in every restaurant or lunch room in any railway station, and it shall be provided with an adequate supply of water, soap and clean towels.

Section 66. Restaurant employees--Restaurant employees who are engaged in the preparing or serving of food, shall thoroughly cleanse their hands by washing with soap and water after using a toilet or urinal, and immediately before beginning service.

Section 67. Kitchen and table utensils--All cooking, table and kitchen utensils, drinking glasses and crockery used in the preparation or serving of food or drink

in railway restaurants or lunch rooms shall be thoroughly washed in boiling water and suitable cleansing material after each time they are used.

Section 68. Food containers--Refrigerators, food boxes, or other receptacles for the storing of fresh food in railway restaurants or lunch rooms shall be emptied and thoroughly washed with soap and hot water at least once in each seven days that they are in use.

Section 69. Garbage cans in sufficient number, and with suitable tight-fitting covers, shall be provided in all restaurants and lunch rooms to care for all refuse food and other wastes; and such cans shall be emptied daily in an approved place and kept in a clean and sanitary condition.

Section 70. Restaurant inspection--The manager, chef or other person in charge of any railway restaurant or lunch room shall be responsible for compliance with all regulations pertaining thereto, and he shall make an inspection of the premises daily for the purpose of maintaining a rigorous cleanliness in all parts thereof.

Section 71. Station inspection--The agent, manager or other persons in charge of any railway station shall be responsible for compliance with all regulations pertaining thereto, and he shall make, or have made by a responsible person reporting to him, frequent inspections of the premises for the purpose of maintaining a rigorous compliance with all such regulations.

Section 72. Examination of food handlers--No person shall serve as a cook, waiter, or in any other capacity in the preparation or serving of food in a railway restaurant or lunch room who is known or suspected to have any dangerous communicable disease. All persons employed for such service shall undergo a physical examination by a competent physician before being assigned to service, and before returning to work after any disabling illness, and at such other times during their service as may be necessary to determine their freedom from such diseases, and shall be immediately relieved from service if found to be so afflicted.

VI. CONSTRUCTION CAMPS

Section 73. Definition--For the purpose of these regulations railway construction camps shall be considered to include all camps and similar places of temporary abode, including those on wheels, established by or for the care of working forces engaged in the construction, repair, or alterations of railway properties or parts thereof: *provided*, that camps which are occupied by less than five people, or camps which are established to meet emergency conditions and are not occupied longer than five days, shall not be included, except that section 90 of these regulations shall apply to them.

Section 74. General--All camps shall be so located and so maintained as to be conducive to the health of their occupants, and not to endanger the health of the public; and all tents, houses, stables, or other structures therein shall be kept in a reasonably clean and sanitary condition at all times.

Section 75. Location--Camps, except those on wheels, should be located on high, well-drained ground; any natural sink holes, pools or other surface collections of water in the immediate vicinity should be drained and filled when the camp is first established; and all such water not subject to complete drainage should have the surface oiled at intervals of not more than seven days during the season of mosquito flight.

Section 76. Arrangement--The general scheme of relations of the structures of a camp should be as follows: the kitchen should be located at one end of the camp; next to this should be the eating quarters, then the sleeping quarters, then the toilets for the men, then the stable, thus bringing the kitchen and the stable at opposite ends of the camp, which should be as far apart as is consistent with the natural topography and the necessity for convenient access.

Section 77. Water supplies--All water supplies for camps shall be properly chlorinated, unless obtained from a source which has been approved by the state department of health.

Section 78. Water containers--All drinking water containers in camps shall be securely closed and so arranged that water can be drawn only from a tap, and said containers shall be kept clean and free from contamination.

Section 79. Garbage and refuse--All garbage, kitchen waters and other rubbish in camps shall be deposited in suitable covered receptacles, the contents of which shall be emptied and burned each day; and manure from the stables shall be likewise collected and burned each day, or disposed of in some other manner approved by the state department of health.

Section 80. Scavenger--In all camps where there are 100 men or more, there shall be one employee whose duty shall be to act as scavenger and garbage collector.

Section 81. Toilets--Every camp shall have an adequate number of latrines and urinals, so constructed and maintained as to prevent fly breeding and the pollution

of water, and the use of such latrines and urinals by the inhabitants of the camp shall be made obligatory. Latrines and urinals may consist of deep trenches covered with houses adequately screened against flies, or of any other type approved by the state department of health. They shall not be located within less than 200 feet of any spring, stream, lake, or reservoir forming part of a public water supply.

Section 82. Washing facilities--There shall be provided in all camps adequate washing facilities for the use of occupants thereof.

Section 83. Screening--The kitchen, eating houses and bunk houses of all camps shall be effectively screened against the entrance of flies and mosquitoes during the season of flight of these insects.

Section 84. Care of tableware--All cooking, table and kitchen utensils, drinking glasses and crockery used in the preparation or serving of food or drink in camps shall be thoroughly washed in boiling water and suitable cleansing material after each time they are used.

Section 85. Food containers--Refrigerators, food boxes, or other receptacles for the storing of fresh food in camps shall be emptied and thoroughly washed with soap and hot water at least once in each seven days that they are in use.

Section 86. Food and milk--No spoiled nor tainted food, whether cooked or uncooked shall be served in any camp; and no milk nor milk products shall be served unless the milk has been pasteurized or boiled.

Section 87. Examination of food handlers--No person shall be employed as a cook, waiter or in any other capacity in the preparation or serving of food in any camp who is known or suspected to have a dangerous communicable disease. All persons employed for such service shall undergo a physical examination by a competent physician before being assigned to service, and before returning to work after any disabling illness, and at such other times during their service as may be necessary to determine their freedom from such diseases, and shall be immediately relieved from service if found to be so afflicted.

Section 88. Sick persons--When an occupant of a camp becomes sick with a dangerous communicable disease, he shall be immediately isolated, and the health officer within whose jurisdiction the camp is located shall be immediately notified.

Section 89. Vermin--It shall be the duty of some one appointed as caretaker of the camp to make regular weekly inspections of the occupants and premises in order to ascertain the presence of lice or other vermin. Persons found to be infested shall be required to bathe, and their clothing shall be boiled; and the premises found to be infested shall be fumigated with sulphur and treated by some other effective vermin-destroying method.

Section 90. Abandoned camps--When any camp is to be abandoned, all garbage, rubbish, and manure shall be collected and burned, the latrine trenches filled and the grounds and buildings shall be left in a clean and sanitary condition.

Section 91. Duty to enforce regulations--It shall be the duty of the superintendent, foreman, or other person in charge of a camp to see that all regulations pertaining thereto are faithfully complied with.

Section 92. All trains operating in South Carolina are required to place in conspicuous position at both interior ends of each car, large typed cards calling attention to sections 22, 23, and 33, printing said sections in full on said cards.

No. 20. FAIRS, CAMP MEETINGS AND OTHER GATHERINGS

Section 1. Adequate and sufficient toilet facilities shall be provided, and maintained in a sanitary condition, at all fair grounds, camp meeting grounds, and similar public gathering places, and shall meet the requirements of rules and regulations governing such facilities.

Sections 2. In no case where water supply is available will any other than flush toilets be allowed. Where necessary to construct other forms of toilets such forms shall receive the written approval of the State Board of Health or its agencies.

Section 3. Water furnished for drinking purposes shall be of the standard required for drinking water supplies through the State.

Section 4. Food stuff offered for sale within the limits of the fair grounds or encampment shall be properly protected from possible contamination by dust and flies, and shall meet the requirements of rules and regulations for food and food handling.

No. 21.

MIDWIVES

Section 1. All midwives shall register with the local registrar and also at the county health department.

Section 2. Requirements for registration.

(1) In order to secure a certificate of registration a midwife shall first demonstrate her ability to read and write. She shall have reasonably clear vision, average intel-

ligence, and good general health. She shall obtain from the health officer or a private physician each year a certificate stating that she is free from communicable diseases.

(2) Every midwife shall be successfully vaccinated against smallpox, inoculated against typhoid fever, and have a negative Wassermann test for syphilis.

(3) Before becoming eligible to register, all midwives are required to attend a course of instructions of at least ten lessons to be given to midwifery classes in the counties by either State or county nurses. At the conclusion of this course certificates may be granted to those whom the instructor considers competent to register. No certificate will be issued until this course has been completed. These certificates are valid for one year only, and shall be renewed each year by the county health officer, and may be withdrawn at the discretion of the county health officer. A fee of twenty-five cents shall be charged for the issuance of each certificate and for each renewal, said fee shall be paid to the county health officer or nurse and disbursed by them in defraying expenses of State midwife institutes. The midwife shall also be required to attend a State institute for instructing midwives unless excused by the county health officer.

(4) No person who has failed to obtain and hold a certificate as set forth above shall practice midwifery in this State.

Section 3. (1) In each county the midwife shall be subject to the supervision and control of the county health officer.

(2) Midwives shall report to the public health nurse of their community whenever requested to do so.

Section 4. Regulations.

(1) A midwife, before attending a woman in confinement, shall wash her hands and arms with warm water and soap; and afterwards wash in a quart of warm water containing a teaspoonful of lysol, or carbolic acid, or other antiseptic.

(2) She shall keep herself clean, and also her patient, bed, clothing and all that comes in contact with her.

(3) She shall not pass her fingers or any instrument into the birth canal of the woman for the purpose of examination or for any other purpose.

(4) A midwife shall endeavor to secure the assistance of a physician if the child is not born after twenty-four hours of labor.

(5) A midwife shall not give drugs of any kind to hasten or increase labor pains, but may give castor oil or other laxative as needed.

(6) She shall not give an injection of any kind into the birth canal without orders from the doctor, but may use an enema of warm water into the bowels to produce a movement.

(7) If the child's hands come down, the child is lying in cross position and cannot be born alone, the midwife shall immediately send for a physician and inform him as to the condition observed.

(8) If the child's feet or buttocks are born first, it will be smothered in a few minutes unless the head comes out immediately. In such a case the midwife should lift the body of the child by the feet and hold it up. This will make the delivery of the head quicker. Delay will almost certainly mean the death of the child.

(9) If the mother has a spasm, or bleeds either before or after the child is born, the midwife shall send at once for a physician. She shall do likewise if the mother is very weak or her labor is slow. If the mother shows signs of fever, send for the physician at once without waiting until she is worse.

(10) Every midwife shall report all births she attends within ten days on the blanks furnished her. Unfading black ink (writing fluid) is to be used. These reports shall be made to the local registrar.

(11) As soon as the child is born, two drops of a 1 per cent solution of nitrate of silver shall be dropped into each eye.

(12) Every case of "baby's sore eyes" or reddening of the eyelids shall be reported at once to a physician.

(13) The cord shall be dressed at once with a clean dry dressing. No grease is to be used.

No. 22.

SLAUGHTER HOUSES

Section 1. No person or persons shall build or use any slaughterhouses within the limits of any town or city in the State without the consent of the local health officer, and the keeping and slaughtering of all cattle or other animals, and the preparation and keeping of all meats, fish, birds or other animal food shall be in the manner best adapted to secure and continue their wholesomeness as food.

Section 2. All yards, driveways, alleys, and pens connected with any slaughterhouse shall be smooth and properly graded and drained. They shall at all times be kept clean.

Section 3. The floors of all killing rooms and of all storage and other rooms where edible meat is handled or stored shall be of concrete, or its equivalent, and so constructed as to drain freely and thoroughly into traps connected with a satisfactory drain. The walls and ceiling of all such rooms shall be tight and smooth, and shall be painted or whitewashed as often as necessary to keep them in a neat condition, and shall be kept clean at all times.

Section 4. Every slaughterhouse shall have adequate and satisfactory reduction equipment for the disposal of all offal and condemned meat, which shall be outside of any room in which edible meat is handled, and the reduction shall be thoroughly conducted or satisfactory disposal of all offal and condemned meat by some method satisfactory to the state board of health.

Section 5. All parts of the slaughterhouse shall be adequately lighted, both naturally by a sufficient number of windows and artificially. The ventilation shall be sufficient to keep down offensive odors. All rooms shall be equipped with self-closing, properly double fitting screen doors, which shall be kept closed at all times. These rooms shall be equipped with the necessary overhead trackage, hoists, trucks, racks, tables, and other necessary equipment to conduct the business in an expeditious and cleanly manner. Suitable spittoons shall be provided for the workmen, and no workman shall spit upon the floor or the side walls of any slaughterhouse.

Section 6. Properly equipped dressing rooms and toilet rooms, sufficient in number, ample in size, conveniently located, provided with windows to admit direct, natural light, properly ventilated, and meeting all requirements as to sanitary construction and equipment, shall be provided. These shall be separate from the rooms and compartments in which meat and products are prepared, stored, or handled.

Section 7. Ample, modern lavatory accommodations, including running hot and cold water, soap, towels, etc., shall be provided in such locations as may be essential to insure cleanliness of all persons handling any meat or product, and there shall be at least one lavatory convenient to each toilet room and urinal. Where no connections can be made to a sanitary sewer a septic tank approved by the state board of health shall be installed.

Section 8. An abundant supply of safe water shall be provided, which shall be delivered under pressure to all parts of the plant. Provision shall also be made for an adequate supply of hot water, delivered in pipes to the necessary places in the slaughterhouse.

Section 9. All buildings in which meat or meat products are handled and stored shall be rat proof.

Section 10. No room used for slaughtering shall be used for any other purposes, incompatible therewith.

Section 11. All employees in slaughterhouses shall be provided with washable clothings, and boots (or shoes) for use on the killing floor. Such boots and clothing shall be kept clean at all times.

Section 12. Before going upon the killing floor, employees shall thoroughly wash their hands. The hands shall also be washed after each visit to the toilet, and at such other intervals as may be required.

Section 13. No person shall be employed at a slaughterhouse while afflicted with any communicable disease.

Section 14. No dogs or cats shall be allowed in or around any slaughterhouse.

Section 15. The floor and side walls of the slaughtering room shall be properly washed at the end of each day's killing, and the floors, trucks, and all other surfaces of the plant shall be washed and scrubbed as often as is necessary to keep them in a clean condition.

Section 16. Carcasses shall not be dressed with skewers, knives, etc., that have been held in the mouth. Spitting on whetstones or steels while sharpening knives is prohibited.

Section 17. All knives, saws, cleavers, or other utensils, shall be thoroughly cleaned and sterilized after each day's use.

Section 18. No person shall urinate, defecate, or commit any nuisance whatsoever in the slaughtering pens or any abattoir or slaughterhouse, or within 150 feet thereof.

§ 5002-1. Penalties violate rules of board of health.—Any person, who shall after notice, violate disobey, refuse, omit or neglect to comply with any rule of said executive committee of the state board of health, made by it in pursuance of this section and § 5002, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding the sum of one hundred dollars, or be imprisoned for thirty days: *provided*, this section

shall not apply to any persons until the rules of state board of health are promulgated.

1932 Code, § 5003; Civ. C. '22, § 2314; Cr. C. '22, § 395; 1912 (27) 744.

§ 5003. State board supervise, establish and control quarantine.—The state board of health shall supervise and control the quarantine system of the State, and shall annually, or oftener if necessary, require reports from the health officer on such forms as may be prescribed in all matters pertaining to quarantine. They shall also be authorized to establish quarantine, both by land and sea. The quarantine shall not be established except by the advice and consent of the Governor.

1932 Code, § 5004; Civ. C. '22, § 2315; Civ. C. '12, § 1574; Civ. C. '02, § 1089; G. S. 917; R. S. 968; 1878 (16) 730.

§ 5004. State board order and enforce vaccination or quarantine.—The state board of health and its duly appointed representatives shall have power to order and enforce the vaccination of all such persons as it may consider necessary for the preservation of the public health: *provided*, that any person who has been exposed to the contagion and refuses vaccination, shall not be forcibly vaccinated, but in the discretion of the state board of health, or their agent, be quarantined and guarded until the period of incubation of the threatened disease has passed.

1932 Code, § 5023; Civ. C. '22, § 2333; Civ. C. '12, § 1587; Civ. C. '02, § 1093, 1899 (23) 104.

§ 5005. State board cooperate with federal government in protecting live-stock industry—regulations.—It shall be the duty of the state board of health to cooperate with officials of the federal government and with those of other States in establishing interstate quarantine lines, and in making and enforcing of such rules and regulations as shall best protect the live stock industry of this State against infectious or contagious diseases.

The said state board of health shall prescribe such rules and regulations as are necessary within said quarantine lines for the preservation of the live stock industry within such territory and duly promulgate the same.

1932 Code, § 5025; Civ. C. '22 § 2335; Civ. C. '12, § 1590; Civ. C. '02, § 1096; 1899 (23) 103.

§ 5006. State board supervise local boards of health.—The state board of health is invested with authority to direct and supervise the action of the local board of health in incorporated cities and towns and in all townships in all matters pertaining to said local boards, and upon refusal or neglect to execute the orders of the state board of health, the members of the local board shall be subject to removal by the said state board of health. Such removal shall not be made until ten days' notice of the charges against the offending members of the local board shall have been mailed to or served upon him or them, stating the cause of the complaint and the time and place for the answer to said charges. Said removal to be additional to any penalty now imposed by law; and it shall be the duty of the secretary of said local board to report to the state board of health all such facts and statistics as may be required of them, under such regulation and upon such blanks as may be presented and furnished for the same, and any secretary of a local board who shall fail to make such return or refuse to obey any regulation or demand of the state board of health shall be deemed derelict in duty, and upon failure to show cause for same shall be subject to removal by the state board of health.

1932 Code, § 5015; Civ. C. '22, § 2326; Civ. C. '12, § 1585; Civ. C. '02, § 1091; 1901 (23) 733.

§ 5007. Executive committee of state board recommend, etc., for registration of vital statistics.—It shall be the duty of the executive committee of the state board of health to recommend such provisions of law as shall be deemed necessary for the thorough organization of a system of registration of vital statistics throughout the State, and shall prepare the necessary methods and forms of obtaining and preserving such statistics.

1932 Code, § 5014; Civ. C. '22, § 2325; Civ. C. '12, § 1584; Civ. C. '02, § 1090; G. S. 918; R. S. 969; 1878 (16) 730.

§ 5008. State board promote prevention and cure (care) of cancer.

(1) Plan for care and treatment of indigent cancer patients and establish standard for organization, equipment and conduct of cancer units in general hospitals.—It shall be the duty of the state board of health to formulate a plan for the care and treatment of indigent persons suffering from cancer, and to establish and designate standard requirements for the organization, equipment and conduct of cancer units or departments in general hospitals of this State. The state board of health shall consult with physicians designated by the president of the medical association of South Carolina, and with such other experts or non-experts wherever located as it may deem proper with a view to carrying out the purposes of this section, and with a view of establishing a minimum standard for the conduct and equipment of cancer units or departments in general hospitals in such parts or districts of the State as may, in the opinion of the said state board of health, be deemed most advantageous to the public health.

(2) Conduct educational campaign for cancer control.—The said state board of health shall formulate and put into effect an educational plan for the purpose of preventing cancer, and for the purpose of aiding in the early diagnosis of cancer, and for the purpose of informing hospitals and cancer patients of the proper treatment.

(3) Plan for care and treatment of indigent cancer patients—acquire property.—The said state board of health is authorized and directed to make rules and regulations specifying to what extent and on what terms and conditions indigent cancer patients of this State may receive financial aid for the diagnosis and treatment of cancer in any approved hospital in this State. The said state board of health is authorized to furnish aid to indigent cancer patients of this State who are citizens of this State, to the extent of, and within the available funds as the said state board of health shall deem proper. The said state board of health shall have the power in its discretion to administer such aid in any manner which in its judgment will afford the greater benefit to cancer patients throughout the State, and shall have the power, to the extent of and within the available funds which may be provided, to acquire such laboratories, hospitals, or other property, either real or personal, by gift, purchase, devise or otherwise as the said state board of health shall in its discretion deem advisable to afford proper treatment and care to patients in this State, and carry out the intent and purpose of this section.

1939 (41) 464.

§ 5009. Sterilize certain inmates of penal or charitable institutions.

(1) Executive committee of state board of health may order certain inmates to be sterilized—petition therefor—service of petition—hearing on petition—guardian ad litem represent inmate—evidence—keep records.—Whenever the superintendent, or any other person or persons in charge of any penal or charitable institution of this State shall be of the opinion that it is for the best interest of the inmates of the institution of which he is superintendent, or person in charge, that any inmate of such institution

who is afflicted with any hereditary form of insanity that is recurrent, idiocy, imbecility, feeble-minded or epilepsy should be sexually sterilized, such superintendent or other person in charge, shall present to the executive committee of the state board of health, of this State, a written petition stating the facts of the case, and the grounds of his opinion verified by his affidavit to the best of his knowledge and belief, and praying that an order may be entered by the said committee authorizing him to perform or have performed by some competent physician, or surgeon to be designated by him in his petition, or by the committee in its order, upon such inmate named in such petition, at one of the institutions of the State, the operation of vasectomy, if upon a male, and of salpingectomy, if upon a female, or such other safe and proper operation as medical science may provide to accomplish such purpose.

A copy of such petition shall be served upon such inmate named therein, together with a notice in writing designating the time and place in said institution, not less than thirty (30) days before the presentation of such petition to the executive committee of the state board of health, when and where the committee will hear and act upon such petition. If such inmate has a parent, child, brother, sister, guardian or committee residing in this State whose name and place of residence are known to such superintendent, a copy of such petition and notice shall be served upon such parent, child, brother, sister, guardian, or committee, whichever may be first found upon whom such service may be made. If such notice cannot be served, the superintendent shall file a copy of such petition in the office of the clerk of court of the county where the inmate last resided, if known; and a certificate of the sheriff of the country where such patient has had his or her residence, if known, shall be filed with the executive committee of the state board of health, and no further service of process shall be had.

After the notice required by this section shall have been given as herein provided, the executive committee of the state board of health, at the time and place named therein, with such reasonable continuances from time to time and from place to place as the committee may determine, shall proceed to hear and consider the said petition and the evidence offered in support of and against the same. For every such inmate the committee shall appoint a guardian ad litem who must be present at the hearing to defend the rights and interests of such inmate. And the committee shall see to it that such inmate shall have leave and opportunity to attend such hearings in person, if desired by him, or by his parent, guardian or committee served with such petition as aforesaid.

The executive committee of the state board of health may receive and consider as evidence at such hearing the commitment papers and other records of such inmate in any of the aforesaid state institutions as certified by the superintendent or superintendents thereof, together with such other legal evidence as may be offered by any party to the proceeding. Any member of the committee shall have the power to administer oaths to the witnesses at such hearings. Depositions may be taken by any party after due notice as in pending cases and such depositions may be read in evidence pertinent to the issue: *provided, however*, that no deposition shall be read against such inmate, except with the consent of his guardian ad litem, unless it be taken in the presence of the guardian ad litem or upon interrogatories agreed on by him. The committee shall preserve and keep all record evidence offered at such hearings, and shall have all oral evidence heard thereat reduced to writing and preserved and kept with its records. Any party to the proceedings shall have the right to be represented by counsel at such hearings.

The executive committee of the state board of health may deny the prayer of said petition, or, if the committee shall find that such inmate is insane, idiotic, imbecile, feeble-minded or epileptic, and by the laws of heredity is or would be the probable potential parent of socially inadequate offspring likewise afflicted, that such inmate may be sexually sterilized without detriment to his or her general health; and that the welfare of such inmate and of society will be promoted by such sterilization, it may by order authorize such superintendent to have performed, or cause to be performed by some competent physician or surgeon named in such order, upon such inmate, after not less than thirty (30) days from the date of such order, such suitable and safe operation as medical science may have devised to render such patient or inmate sterile.

(2) Appeal.—From any such order so entered by the executive committee of the state board of health, any party or parties, interested therein shall have the right of appeal to the circuit court in the same form and manner as is now provided by law for appeals from inferior courts to the circuit courts, and the right of appeal shall be preserved to the Supreme Court in the same form and manner as appeals are now had from the circuit court of this State to the Supreme Court, and such notice of appeal shall act as a stay of further proceeding pursuant to terms of said order until such appeal, or appeals, have been finally disposed of.

(3) Perform operation if ordered—exceptions.—Whenever any such order shall be made as herein provided by the executive committee of the state board of health, or such circuit court, or the Supreme Court of this State, authorizing such superintendent to perform, or cause to be performed by some competent physician or surgeon named therein, such operation hereinbefore mentioned, such superintendent, upon the expiration of any stay of proceedings under any such order, shall be authorized to perform or cause to be performed by the physician or surgeon named in such order, such operation pursuant to such order, unless in the meantime, some physical or mental disability of such patient or inmate shall indicate the advisability of postponing or abandoning such operation.

(4) Liability of participants.—Neither any superintendent nor other person legally participating in the execution of the provisions of this section shall be liable either civilly or criminally on account of such participations.

(5) Operation.—Nothing in this section shall be construed to authorize the operation of castration nor the removal of sound organs from the body; but this provision shall not be construed so as to prevent the medical or surgical treatment for sound therapeutic reasons of any person in this State, by a physician or surgeon licensed by this State, in such a way as may incidentally involve the nullification or destruction of the reproductive functions.

(6) Pay of guardian ad litem.—Any guardian ad litem appointed by the executive committee of the state board of health or by a circuit court pursuant to this section to defend the rights and interest of any inmate of any state institution named herein in proceedings hereunder shall be paid by such institutions for his services such fees, not exceeding ten (\$10.00) dollars, as may be allowed by the executive committee of the state board of health, or by the circuit court in case of appeal.

(7) Inmate or representative designate physician perform operation.—Nothing herein contained shall prevent such inmate or his or her family, or committee or guardian from employing any duly licensed physician to perform such operation, *provided*, the fee of such surgeon so employed is

paid by such inmate, or his or her family, guardian or committee pursuant to such employment.

1935 (39) 428; 1937 (40) 161.

§ 5010. State health officer appointment — bond — oath—term—salary.—

The Governor shall, upon the recommendation of the executive committee of the state board of health, appoint a state health officer, who shall be a graduate of a regular reputable medical college and a physician, skilled in hygienic and sanitary science; he shall qualify by giving an official bond in the usual form, in the penalty of two thousand dollars, conditioned for the faithful discharge of his duties, to be approved and filed as the bonds of other state officers, and shall take an oath of office and the usual constitutional oaths required of a state officer; he shall hold office at the pleasure of the executive committee of the state board of health and until his successor is elected and qualified; he shall receive an annual salary of twenty-five hundred dollars, and his necessary traveling expenses, one thousand dollars, if so much be necessary, payable quarterly, out of the contingent fund appropriated to prevent the spread of contagious and infectious diseases, on the warrant of the comptroller general, on accounts approved by the state board of health; he shall hold his office in the city of Columbia, furnished him by the State.

1932 Code, § 5053; Civ. C. '22, § 2361; Civ. C. '12, § 1613; 1908 (25) 997.

§ 5011. Duties and powers — health and peace officers assist. — The state health officer shall be the secretary and executive officer of the state board of health, and shall have power to administer oaths and take depositions in the line of duties; and when directed by the executive committee of the state board of health, or by the chairman, when the board is not in session, he shall investigate the reported causes of communicable or epidemic disease, and shall enforce or prescribe such preventive measures as may be needed to suppress or prevent the spread of said diseases, by proper quarantine or other measures of prevention, as may be necessary to protect the citizens of the State. The state health officer shall have power, and it shall be his duty, to declare, when the facts justify it, any place to be infected, and in case of hydrophobia or other diseases transmitted from animals to man, he shall declare such animal or animals to be quarantined, and shall place all such restrictions upon ingress and egress of persons or animals therefrom as may be, in his judgment, necessary to prevent the spread of disease from the infected locality. All sheriffs or constables in the several counties of this State, and police officers and health officers of cities and towns, shall aid and assist the state health officer, and shall carry out or obey his orders, or those from the state board of health, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed; and the said state health officer shall make immediate report of his acting and doing to the state board of health, or its chairman, when the board is not in session.

1932 Code, § 5054; Civ. C. '22, § 2362; Civ. C. '12, § 1614; 1908 (25) 998.

§ 5012. Powers of state board as to railway and navigation companies.—

The state board of health, or its chairman, when the board is not in session, shall have power, by its actions or through its health officer, to impose upon all railway and navigation companies, vessels or cars, such restrictions and regulations as to inspections, quarantine or sanitary rules as, in their judgment, may be necessary to protect the health of the people of the State, and which are not in conflict with acts of Congress already passed or that may hereafter be ordained in ~~that~~ regard.

1932 Code, § 5055; Civ. C. '22, § 2363; Civ. C. '12, § 1615; 1908 (25) 998.

§ 5013. Health officer advise municipal authorities.—It shall be the duty of the state health officer, when it is deemed necessary by the municipal officers of any town or city, or the county board of commissioners of any county, to visit cities, towns, villages or localities where disease is prevalent or threatened, and to investigate and to advise with the local authorities or persons as to such measures as may tend to prevent the spread of disease, or to remove or abate causes that may tend, cause or intensify diseases, and to advise, when practicable or possible, as to measures of sanitation or hygiene, and to investigate and advise as to all matters as to food or water supply, sewerage or drainage, or as to ventilation or heating or lighting, or other measures connected with public sanitation or safety: *provided*, nothing herein contained shall be construed to conflict with the present law providing for periodical examination of city water supplies.

1932 Code, § 5056; Civ. C. '22, § 2364; Civ. C. '12, § 1617; 1908 (25) 998.

§ 5014. Health officer secretary of state board—duties.—The state health officer shall be secretary of the executive committee of the state board of health; he shall be the custodian of books, papers, instruments or appliances belonging to the state board of health, or that may be entrusted to his care. He shall summon the board to meetings, and shall attend all meetings of the board, and discharge the duties appertaining to the office of secretary.

1932 Code, § 5057; Civ. C. '22, § 2365; Civ. C. '12, § 1617; 1908 (25) 998.

§ 5015. Boards of health in cities and towns—appointment—term.—It shall be the duty of the mayor or intendant of every incorporated city, town or village in the State of South Carolina to appoint, by and with the consent of the city or town council of every such city, town or village, five persons, not members of such council, in cities or towns of five thousand or less population, and in cities exceeding five thousand in population the number may be increased to twenty, as the city may determine, one or more of whom shall be reputable physicians of not less than two years' standing in the practice of his profession. The mayor or intendant of said city or town shall designate one-fifth of the members of the board to serve one year, one-fifth to serve for two years, one-fifth to serve for three years, one-fifth to serve for four years, and one-fifth to serve for five years, and thereafter one-fifth of the number of said board shall be appointed annually to serve for five years. The members shall serve without compensation; and in case any one of these, after accepting and being duly appointed, shall refuse to qualify and serve on the board, he shall be subject to a fine of twenty-five dollars, to be imposed and collected by the town council: *provided, however*, that in all cases of vacancies on said board occurring from any cause at any time said vacancies shall be filled in the manner hereinbefore prescribed by appointment for the unexpired term, or terms, as aforesaid: *provided, further*, that in the city of Greenville the board of health shall consist of seven, and in the city of Orangeburg the board of health shall consist of three members, one of whom shall be a reputable physician of not less than two years' standing in the practice of his profession, and that the chairman of the board of health shall receive such compensation annually as shall be fixed by the city council of Orangeburg, not exceeding two hundred dollars per annum: *provided, further*, that the town council of the town of Newberry is hereby authorized and empowered to pay the chairman of the board of health in the said town a

salary of one hundred and fifty dollars per annum, to be paid out of the funds not otherwise appropriated.

1932 Code, § 5026; Civ. C. '22, § 2336; Civ. C. '12, § 1591; Civ. C. '02, § 1097; 1897 (22) 456; 1912 (27) 1076; 1915 (29) 139; 1918 (30) 693.

§ 5016. Oath — organization — salary — bond—fees.—The members of the board shall severally take the oath prescribed for town and city officers, and shall annually organize by the selection of one of their number as president. They shall elect a secretary, who shall keep the minutes of their proceedings and perform such other duties as may be prescribed by the board, and a health officer, who shall execute the orders of the board and for that purpose shall have and exercise the powers and authority of a policeman of the town or city. The secretary and health officer shall receive such salary as may be fixed by the board, ratified by council, and shall hold their offices at the pleasure of the board. They shall severally give bond to the town or city in such sums as may be fixed by ordinance for the faithful discharge of their duties, and shall also take and subscribe the oath required by members of the board. All fees which shall be collected or received by the board or any officer thereof, in his official capacity, shall be paid over into the town or city treasury monthly, together with all penalties which shall be recovered for the violation of any regulation of the board. The president and secretary shall have full power to administer oaths or affirmations in any proceedings or investigations touching the regulations of the board, but shall not be entitled to receive any fee therefor.

1932 Code, § 5027; Civ. C. '22, § 2337; Civ. C. '12, § 1592; Civ. C. '02, § 1098; 1894 (21) 818; 1906 (25) 988.

§ 5017. Rules and regulations—hospitals.—The said board of health shall have power and it shall be their duty to make and enforce all needful rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulations of intercourse with infected places, by the arrest, separation and treatment of infected persons and persons who shall have been exposed to any contagious or infectious diseases, and by abating and removing all nuisances which they shall deem prejudicial to the public health, to enforce vaccination, to mark infected houses or places, to prescribe rules for the construction and maintenance of house drains, waste pipes, soil pipes and cesspools, and make all such other regulations as they shall deem necessary for the preservation of the public health. They shall also have power, with the consent of the town or city council, in the case of the prevalence of any contagious or infectious disease within the town or city, to establish one or more hospitals and to make provisions and regulations for the management of the same.

1932 Code, § 5028; Civ. C. '22, § 2338; Civ. C. '12, § 1593; Civ. C. '02, § 1099; 1894 (21) 818.

§ 5018. Physicians — appointment — salary — duties.—The board may in such cases appoint as many ward or district physicians and other sanitary agents as they may deem necessary, whose salaries shall be fixed by the town or city council before their appointment. It shall be the duty of all physicians practicing within the town or city to report to the secretary of said board of health the names and residences of all persons coming under their professional care afflicted with such contagious or infectious diseases, in the manner directed by said board.

1932 Code, § 5029; Civ. C. '22, § 2339; Civ. C. '12, § 1594; Civ. C. '02, § 1100; 1894 (21) 818.

§ 5019. Powers of board.—The said board of health shall have power, as a body or committee, as well as the health officer, together with his subordinates, assistants and workmen, under and by order of said board, to enter at any time upon any premises in the town or city upon which there is suspected to be any contagious or infectious diseases or nuisance detrimental to the public health, for the purpose of examining and abating the same; and all written orders for the removal of nuisances issued to the said health officer by order of said board, attested by the secretary, shall be executed by him and his subordinates and workmen: *provided*, the person or persons refusing to remove such nuisance, and the cost and expenses thereof, shall be recoverable from the owner or owners of the premises from which the nuisance shall be removed or from any person causing or maintaining the same, in the same manner as debts of like amounts are now collected by law.

1932 Code, § 5030; Civ. C. '22, § 2340; Civ. C. '12, § 1595; Civ. C. '02, § 1101; 1894 (21) 818.

§ 5020. Inspections of court house, jails, etc.—duty of physician attending prisoners.—The said board of health shall have the power, and it shall be their duty, to visit and inspect every month the court house and various offices therein contained, the jail and other prisons located in their respective cities and towns, in regard to the purity of the water supply, the lighting and ventilation and heating of the various offices of the court house and the cells and other rooms occupied by prisoners in the jails; they shall inquire into the efficiency of drainage and plumbing of these public buildings, the disposition of garbage and refuse, the closet accommodations, into the condition of the soil pipes, waste pipes and cesspools, and shall recommend to the county authorities the removal of all nuisances on the premises on which said buildings are located which might prove detrimental to the public health; they shall report the number of prisoners, their diet and treatment, the disease and number of cases of sickness which has occurred among the prisoners during the three previous months. And it shall be the duty of every physician who attends in sickness any prisoner in jail to report immediately to the secretary of the board of health the name, sex, age, race and disease of said prisoner.

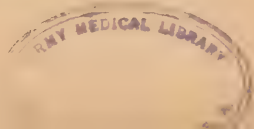
1932 Code, § 5031; Civ. C. '22, § 2341; Civ. C. '12, § 1597; Civ. C. '02, § 1103; 1894 (21) 818.

§ 5021. Inspection of schools, etc.—water supply, etc.—schools closed during epidemic.—It shall be the duty of the board of health as a body, or by committee, with the health officer, to make quarterly visits and inspections to all schools, seminaries or colleges (while in session) which are supported in part or entirely by public taxation, and examine and report on the sanitary condition of the same, the abatement and removal of garbage, refuse matter and nuisances which may prove prejudicial to the health of the pupils. They shall inquire into the purity of the water supply, the condition and efficient working of the drains, waste pipes, soil pipes and cesspools, the ventilation, lighting of the dormitories, lecture and study rooms of the buildings and the appliances in use for fire escapes. In case of the epidemic prevalence of contagions or infections, and in order to prevent the spread of the same, the board of health, by and with the consent of the city or town council, may order the schools, seminaries or colleges, in such town or city, partially or entirely supported by public taxation, closed until such times as they may deem it safe to re-open them. The board of health shall have the right to declare any epidemic or cause of ill health so injurious as to make it necessary to close any or all of the

private schools in the limits of such city or town. Whatever sanitary conditions or evils shall be found by the board of health to exist in or around the public colleges, schools, etc., shall be reported by the secretary of the board of health to the trustees of the same, who shall take immediate steps to remedy the sanitary defects according to the rules and regulations prescribed by the board of health.

1932 Code, § 5032; Civ. C. '22, § 2342; Civ. C. '12, § 1598; Civ. C. '02, § 1104; R. S. 964; 1883 (18) 793; 1894 (21) 818.

§ 5022. Meetings of board—force and effect of rules, etc.—penalties.—The board shall meet at least once a month for the transaction of business, and shall make and cause to be published all necessary rules and regulations for carrying into effect the powers and functions with which they are hereby invested, which rules and regulations, when approved by the town or city council, and when advertised in the same manner as other ordinances, shall have the force of ordinances of the town or city; and all penalties for the violation thereof as well as expenses necessarily incurred in carrying into effect the same, shall be recoverable for the use of the town or city in the same manner as penalties for the violation of the town or city ordinances, subject to the like limitations as to the amount thereof. *Provided, further*, that in the city of Rock Hill the board of health shall consist of not more than five members, one of whom shall be a practicing physician of not less than two years standing in the practice of his profession. The city council of said city shall, after the terms of the present members expire, appoint one-fifth of the members annually on the first Tuesday in June of each year, to serve for a period of five (5) years. The members of said board shall serve without compensation. The said members shall take the oaths prescribed for city officers, and shall organize by the election from among said board a president. The said board shall elect the city physician, a secretary who shall keep the minutes of their proceedings and perform such other duties as may be prescribed by the said board; a health officer and a dairy inspector, who shall for the proper performance of their duties have and exercise the powers and authority of a policeman of said city. The said city physician, health officer and dairy inspector shall receive such salaries as may be fixed by the said board, and shall hold office at the pleasure of the board, the same to be paid from city funds. The said board of health shall have the power to make all needful rules and regulations for the promotion of the best sanitary conditions in the city of Rock Hill, and to enforce the same by such penalties as are proper within the limit prescribed to the city council for the enforcement of city ordinances, and for this purpose shall have all the powers, functions and privileges, and be subject to all of the duties, responsibilities and liabilities provided in an act entitled, 'An Act to Establish Local Boards of Health in the Cities and Incorporated Towns of the State, and to Define the Powers Thereof', approved January 5, 1895. The board shall meet at least once a month for the transaction of business, and shall make out and cause to be published all necessary rules and regulations for carrying into effect the powers, and functions of which they are invested by law, which rules and regulations, when approved by the city council and when advertised in the same manner as other ordinances, shall have the force of ordinances of said city; and all penalties for the violation thereof, as well as expenses necessarily incurred in carrying into effect the same, shall be recovered for the use of the city council in the same manner as penalties



for the violation of city ordinances, subject to the like limitations as to the amount thereof.

1932 Code, § 5036; Civ. C. '22, § 2346; Civ. C. '12, § 1602; Civ. C. '02, § 1105; 1894 (21) 818; 1935 (39) 5.

§ 5023. Estimate of expenses—report—communications with state board.

—It shall be the duty of the board of health to submit annually to the council, before the commencement of the fiscal year, an estimate of the probable receipts and expenditures of the board during the ensuing year, and the council shall then proceed to make such appropriation thereto as they shall deem necessary; and the said board shall, in the month of October of each year, submit a report in writing to the council of its operations for the preceding year, with the necessary statistics thereof, together with such information and suggestions relative to the sanitary condition and requirements of the town or city, as it may deem proper, and the council shall publish the same in its official journal. It shall be the duty of the board to communicate to the state board of health at least annually, in the month of October, notice of its organization and membership, and copies of all its reports and publications, together with such sanitary information as may from time to time be required by said state board. Nothing in §§ 5015 thru 5023 shall apply to the board of health as now organized in the city of Charleston.

1932 Code, §§ 5037, 5038; Civ. C. '22, §§ 2347, 2348; Civ. C. '12, §§ 1603, 1604; Civ. C. '02, §§ 1106, 1107; 1894 (21) 818.

§ 5024. Duties of boards.—It shall be the duty of all existing boards of health, and also of all that may hereafter be appointed under the provisions of this article, to aid the municipal authorities in the enforcement of all state laws as to the adulteration of all kinds of food and drink, and to prevent the sale or exposure for sale of any kind of meat, or vegetables, or fruits, or other articles of food that are unwholesome or unfit for food; and also to define and declare what shall be nuisances to health in lots, streets, docks, ponds, wharves, piers, vessels and all public or private places in such city or town, or in any part thereof; and to prevent the spread of dangerous epidemic or contagious diseases in such city or town, or in any part thereof; and also to maintain and enforce a proper quarantine whenever this may be deemed expedient or necessary by the state board of health and approved by the Governor; and to regulate and control the keeping or slaughter of all kinds of cattle, sheep, goats and swine or other animals in any city or town or any part thereof; and to regulate and prohibit the accumulating of offal and all decaying or injurious vegetables or other substances in any place in such city or town, public or private; and to prohibit and remove any nuisance or offensive matter in any public highway, road, street or other place, public or private, in such city or town, and to cause the removal of the same at the expense of the owner thereof if he decline to remove it after notice to that effect; and to regulate and control, or prohibit, the cleansing of sewers and the dumping of garbage, or using of any noxious or unsuitable material for filling town lots, marshes, ponds and other places, and to provide for filling of sunken or low lots and other places in any part of said city or town. Sub-boards constituted as provided in section 5000 and local boards of health are charged with the duty of investigating within their districts all matters of sanitary interest or scientific importance bearing in any wise upon the protection of the public health, and shall report to the executive committee at such times and in such manner and form as the executive committee may prescribe.

1932 Code, § 5039; Civ. C. '22, § 2349; Civ. C. '12, § 1605; Civ. C. '02, § 1108; R. S. 961; 1883 (18) 292, § 3; 1892 (21) 20.

§ 5025. Powers as to removal or abatement of nuisance, etc.—Whenever such nuisance, source of foulness or cause of sickness hazardous to public health shall be found on private property, the board of health of the city or town, within whose limits it may be, shall at once notify the municipal authorities, who shall require the owner to remove and abate the same at his own expense within such time as the board may deem the public health to require, a duplicate of the notification being left with one or more of the tenants or occupants. If the owner or agent is unknown, resides out of the States, or cannot be reached with the notice speedily enough for the necessities of the public health, a notice left at the house or premises with the tenant or occupant, or published in a newspaper printed in the county, and if there is no such newspaper, posted on the door of the court house or postoffice, shall suffice; and if the owner thus notified shall not comply with such notification or order within the time specified the municipal authorities shall proceed to remove such nuisance, source of foulness or cause of sickness hazardous to public health, and shall have a right to recover the expenses incurred in such removal from any person or persons who shall have caused or allowed the same, or from any occupant or tenant of premises, or (in case it affect the freehold), from the owner, who, after notice, as aforesaid, shall have failed to remove such nuisance, source of foulness or cause of sickness hazardous to the public health within the time specified in such notice. Nothing herein contained shall be held to bar an action for damages by such owner, occupant or tenant for unlawful proceedings in the premises.

1932 Code, § 5040; Civ. C. '22, § 2350; Civ. C. '12, § 1606; Civ. C. '02, § 1109; R. S. 962; 1883 (18) 292, § 4.

§ 5026. Annual and other reports to executive committee—what to contain, etc.—All local boards of health are required to report to the executive committee of the state board of health annually, or oftener if so required, all marriages, births, and deaths occurring in their respective jurisdictions; and, when notified, shall report upon all diseases or supposed causes prejudicial to public health therein, and the measures employed to check or abate the same; also, upon such other subjects as are usually under control of boards of health. They are also charged with the duty of investigating, within their districts, all matters of sanitary interest or scientific importance bearing in any wise upon the protection of the public health, and shall report thereon to the executive committee at such times and in such manner and form as the committee may prescribe.

1932 Code, § 5048; Civ. C. '22, § 2356; Civ. C. '12, § 1608; Civ. C. '02, § 1111; G. S. 916; R. S. 966; 1883 (18) 294, § 7.

§ 5027. Municipal corporations maintain boards of health.—Each incorporated village, town and city of this State shall have and maintain a board of health, under the direction and control, also, of the state board of health.

1932 Code, § 5005; Civ. C. '22, § 2316; Civ. C. '12, § 1575; 1905 (24) 903.

§ 5027-1. Duties of local boards of health as to quarantine.—All local boards of health shall forthwith quarantine such contagious diseases as smallpox, diphtheria and scarlet fever, as soon as the knowledge of the occurrence of such disease comes or is brought to their attention; they shall cause to be placed notices at the entrance of the premises where the disease may be located, stating the disease and that the building infected is quarantined. The quarantine shall remain in force until the attending physician shall certify that the danger of the contagion is passed or removed;

that no person shall enter or depart from the premises so quarantined during its quarantine, except attending physicians, without a special permit from the board of health.

1932 Code, § 5006; Civ. C. '22, § 2317; Civ. C. '12, § 1576; 1905 (24) 903.

§ 5028. Duty of attending physician.—When infectious diseases, such as enumerated in section 5027-1, occur outside of incorporated towns, the attending physician shall quarantine the premises whereon the same occurs, give the notices, and assume the duties of the board of health in the premises, and he shall report the same to the nearest board of health; and that, in the case of such quarantine of a country house by the attending physician, no one except himself shall enter or depart the premises without the permit of the attending physician.

1932 Code, § 5007; Civ. C. '22, § 2318; Civ. C. '12, § 1577; 1905 (24) 903.

§ 5028-1. Local boards of health—quarantine.—Any person violating the provisions of section 5027 shall, upon conviction, be deemed guilty of a misdemeanor, and shall be fined not exceeding one hundred dollars, or imprisonment not exceeding thirty days; and each member of the council of any village, town or city neglecting or refusing to establish and maintain a local board of health shall be deemed to violate this section and, upon conviction, shall be subject to the foregoing penalties.

1932 Code, § 1501; Cr. C. '22, § 449; Cr. C. '12, § 439; 1905 (24) 903.

§ 5029. Boards of health in unincorporated towns not less than 100.

(1) **State board of health appoint.**—The executive committee of the state board of health shall have power, and it shall be their duty, to appoint local boards of health in all unincorporated towns and villages, where the population of any of said towns and villages is not less than one hundred inhabitants, which local boards shall consist of seven members, one of whom shall be a regularly licensed practicing physician, one the nearest magistrate, and five laymen: *provided, however*, that no such board of health shall be appointed until one-fourth of the qualified electors of such unincorporated towns and villages shall have, in writing, asked for the appointment thereof. *Provided, further, however*, that in the City View water and sewer district in Greenville County, the commission of and for said district shall, upon and after resolution duly adopted by said commission, appoint a local board of health for said district, which local board shall consist of seven members, one of whom shall be a regularly licensed practicing physician, and each of whom shall hold office at the will of said commission. The said local board of health, for said district, when so appointed, shall perform all the duties, and have all the powers of local boards of health appointed under this section and as may be conferred upon local boards of health by all other applicable sections under general laws pertaining to local boards of health, and in addition to such powers is hereby authorized to pass, adopt and promulgate rules and regulations requiring owners of property in said district to connect with the water and or sewer systems where they are reasonably available and such connection is in the discretion of the board necessary to protect the public health and/or security of the district.

(2). **Organization.**—The members of said local boards shall, immediately after their appointment, organize by the selection of one of their number as president. They shall select a secretary, who shall keep the minutes of their proceedings, and perform such other duties as may be prescribed by the board, and for the purpose of executing and the enforcement of any of

the orders or rules by said boards, the said magistrates shall be invested with power and authority equal to that of a police officer in municipalities.

(3) Powers and duties.—The said local boards of health shall have power, and it shall be their duty, to make and enforce all needful rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infectious places, by the arrest, separation and treatment of infected persons, and persons who shall have been exposed to any contagious or infectious disease, and by abating and removing all nuisances which they shall deem prejudicial to the public health, to enforce vaccination, to mark infected houses or places, to prescribe rules for the construction and maintenance of house drains, waste pipes, soil pipes and cesspools, and make all such other regulations as they shall deem necessary for the preservation of the public health. They shall also have power, in case of the prevalence of any contagious or infectious disease within any of the said towns or villages, to establish one or more hospitals and quarantine stations, and to make provisions and regulations for the management of the same.

(4) Penalties applicable.—All penalties which attach by law to boards of health of incorporated cities and towns and to persons violating the rules and regulations thereof, are hereby made applicable to boards of health organized under subsections 2 and 3 hereof, and to persons violating the rules and regulations thereof: *provided, however*, that all the expenses incurred by the provisions of subsections 2 and 3 hereof, shall be borne by the communities incurring such expenses. *Provided, further, however*, that all rules and regulations adopted and promulgated by the local board of health of and for the City View water and sewer district of Greenville County, made by and in pursuance of this article and as may be needful or necessary for the preservation and promotion of the public health, sanitation and/or security of said district, after being published once a week for three weeks in a newspaper of said county, shall have the force and effect of law, and any person, who shall after notice violate, disobey, refuse, omit or neglect to comply with any rule or regulation so adopted and promulgated by said local board of health shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding the sum of one hundred dollars, or be imprisoned not exceeding thirty days.

1932 Code, §§ 5049 thru 5052; Civ. C. '22, §§ 2357 thru 2360; Civ. C. '12, §§ 1609 thru 1612; 1906 (25) 125; 1935 (39) 342, 375.

§ 5030. Powers of local boards of health outside of incorporated towns.—

All local boards of health in the several counties in the State outside of incorporated towns and cities, are hereby invested with the same powers and duties that are now imposed by law upon local boards of health in incorporated cities, towns and villages in the State of South Carolina: *provided*, that nothing herein contained shall be construed as giving to local boards outside of incorporated towns and cities the right to enforce compulsory vaccination.

1932 Code, § 5016; Civ. C. '22, § 2327; Civ. C. '12, § 1586; Civ. C. '02, § 1092; 1901 (23) 733.

§ 5031. Physicians and local boards report cases of contagious or infectious diseases.—

In all cases of known or suspected contagious or infectious diseases occurring within any incorporated city or town of this State, it shall be the duty of the attending physician to report such disease to the secretary of the board of health of each city or town within twenty-four hours, stating the name and address of the patient, and the nature of the disease. It shall be the duty of the secretary of each local board of health

to report to the secretary of the state board of health all such cases of infectious and contagious diseases as have been reported to him during the preceding months, such reports to be made upon blanks furnished by the state board of health, and not later than the fifth day of each month. It shall be the duty of the attending physician in all cases of known or suspected contagious or infectious diseases outside of incorporated cities and towns, to report such cases to the secretary of the state board of health within twenty-four hours after they have come under his observation, said reports to be made upon blanks furnished by the state board of health. The state board of health is hereby authorized to name the diseases it considers contagious and infectious. Any physician or secretary of a local board of health, failing to comply with the provisions of this section, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in a sum not less than five dollars nor more than twenty-five dollars, or be imprisoned in the county jail for a period not exceeding thirty days.

1932 Code, §§ 1502, 5008; Civ. C. '22, § 2319; Cr. C. '22, § 450; Civ. C. '12, § 1578; Cr. C. '12, § 440; 1900 (23) 444; 1910 (26) 728.

§ 5032. School authorities prevent spread of contagious or infectious diseases.—Any board of education, school trustees, or any other body having control of any of the schools, may, on account of the prevalence of any contagious or infectious diseases, or to prevent the spread of any such disease, prohibit the attendance of any teacher or scholar upon any school under their control, and may specify the time such teacher or scholar shall remain absent, or they shall require a satisfactory certificate from one or more reputable practicing physicians that such attendance is no longer attended with risk to others attending school, and may also prohibit the entrance into or attendance at any school of all unvaccinated persons who have not had the smallpox. The said board of control or trustees may also require vaccination of any or all teachers, scholars and attendants if a case of smallpox has occurred in the city or town.

1932 Code, § 5043; Civ. C. '22, § 2351; Civ. C. '12, § 1607; Civ. C. '02, § 1110; R. S. 965; 1883 (18) 292, § 6.

See § 5041.

§ 5033. Persons with infectious diseases prohibited from teaching in public schools.—All persons in this State teaching school and infected with tuberculosis or other infectious diseases are hereby prohibited from teaching in the public schools of this State.

1932 Code, § 5044; Civ. C. '22, § 2352; 1920 (31) 941.

§ 5034. School teachers secure health certificates.—Any person applying for the position of school teacher in any of the public schools of this State is hereby required as a prerequisite to his or her employment as such teacher to first secure a health certificate from a county physician, or any other reputable physician, certifying that said person has not an open or active infectious stage of tuberculosis or any other contagious disease.

1932 Code, § 5045; Civ. C. '22, § 2353; 1920 (31) 941.

§ 5035. Form of certificate.—The physician shall make the aforesaid certificate on form supplied by the South Carolina state board of health, whose duty it shall be to provide said forms of certificate upon request of the applicant or applicants under the provisions of §§ 5033 thru 5036.

1932 Code, § 5046; Civ. C. '22, § 2354; 1920 (31) 941.

§ 5036. Penalties violate §§ 5044, 5045, and 5046.—Any person failing to comply with the provisions of sections 5033 thru 5036 or in any manner violating same, shall be guilty of a misdemeanor, and shall be subject to a

fine of not more than fifty (\$50.00) dollars, or not more than thirty (30) days' imprisonment.

1932 Code, § 5047; Civ. C. '22, § 2355; Cr. C. '22, § 445; 1920 (31) 941.

§ 5037. Municipalities pass ordinances for vaccination.—The city or town council of every incorporated city or town in this State may provide by ordinance for the vaccination and re-vaccination with fresh bovine virus, under the direction of the health authorities of said cities or towns, or of some competent physician appointed for that purpose, of all the citizens and residents of such cities and towns, excepting such persons as obtained the certificate of a reputable physician that vaccination would be dangerous to health. Such ordinances shall establish the periods of time, satisfactory to the state board of health, within which vaccination and re-vaccination shall be required; shall provide for vaccination and re-vaccination of indigent and pauper individuals at the expense of the city or town; and shall establish and provide penalties by quarantine and otherwise of such persons as are convicted of neglect or refusal to obey the provisions of such ordinances.

1932 Code, §§ 5009, 7360; Civ. C. '22, §§ 2320, 4492; Civ. C. '12, §§ 1579, 3058; 1905 (24) 869, 871.

§ 5038. State board have general supervision.—The state board of health shall have general direction and supervision of vaccination and re-vaccination in all cities and towns, and shall, in case of threatened epidemic of smallpox in any community, and of insufficient ordinances therein, request the passage of the city or town council of a new ordinance, framed in accordance with the provisions of section 5037. The state board of health shall have full and absolute control in matters of vaccination and re-vaccination of all persons within this State, who do not reside within the limits or jurisdiction of any incorporated city or town, and shall promulgate rules and regulations which shall have the force and effect of law for vaccination and re-vaccination of such persons under the supervision and direction of agents appointed by the said board, and which shall contain provisions similar to those of section 5037, applying to ordinances, but such requirements may be modified by the state board of health in case of sparsely-settled communities so as only to apply during apprehended danger of an epidemic of smallpox; and the necessary expenses of such vaccination or re-vaccination shall be paid by the county commissioners of the county within which the persons treated reside, and a bill or certificate of the services performed endorsed and approved by the state board of health shall be prima facie evidence of the existence and value of such services. The state board of health shall at all times keep in stock a supply of fresh bovine virus and supply the same to cities, towns and individuals without cost; that the charge of each vaccination under this section shall not exceed ten cents.

1932 Code, §§ 5010, 7361; Civ. C. '22, §§ 2321, 4493; Civ. C. '12, §§ 1580, 3059; 1905 (24) 869, 871.

§ 5039. State board pass rules on neglect of municipalities.—If the city or town council of any incorporated city or town shall neglect or refuse to pass an ordinance in accordance with the provisions of section 5037, it shall be the duty of the state board of health to promulgate rules and regulations for the vaccination of the citizens and residents of such incorporated city or town, which rules and regulations shall have the force of an ordinance, and the state board of health shall have the power, and it is hereby made its duty, to enforce obedience to such rules and regulations by the

promulgation and enforcement of proper quarantine regulations whenever the said board shall deem it necessary for the preservation of the public health from possible danger of a threatened epidemic of smallpox, at the cost and expense of such incorporated city or town. In case such incorporated city or town shall refuse or neglect to reimburse the state board of health for all of the costs, charges and expenses incurred under this section, including the costs of necessary quarantine, then the state board of health is hereby empowered to collect the same by suit in any court of the State having jurisdiction, from such incorporated city or town, and a statement of such costs and expenses by the state board of health shall be prima facie evidence of the amount of said costs and expenses.

1932 Code, §§ 5011, 7362; Civ. C. '22, §§ 2322, 4494; Civ. C. '12, §§ 1581, 3060; 1905 (24) 869, 871.

§ 5040. School pupils to be vaccinated.—No superintendent of any institution of learning, and no school board, or principal of any school in this State, shall admit as a pupil any child or person who cannot produce satisfactory evidence of having been vaccinated so often as the ordinance of the city or town in which the school is located, or if not located within the city or town, so often as the rules and regulations of the state board of health may direct.

1932 Code, §§ 5012, 7363; Civ. C. '22, §§ 2323, 4495; Civ. C. '12, §§ 1582, 3061; 1905 (24) 869, 871.

§ 5041. Parents, etc., to see that children are vaccinated.—It is hereby made the duty of every parent, guardian, or other person, charged with the care of or responsibility for any child, to see that such child is vaccinated so often as may be directed by the ordinance of the incorporated city or town in which such child resides, or if not a resident of an incorporated city or town, so often as the rules and regulations of the state board of health may direct.

1932 Code, §§ 5013, 7364; Civ. C. '22, §§ 2324, 4496; Civ. C. '12, §§ 1583, 3062; 1905 (24) 869, 871.

See § 5032.

§ 5042. Violation of compulsory vaccination law a misdemeanor.—Any officer or person who shall fail, neglect or refuse to comply with any provisions of sections 5027 thru 5042 applicable to such officer or person, shall be guilty of a misdemeanor, or conviction thereof in a court of competent jurisdiction, shall be fined in the sum of one hundred dollars, or be imprisoned for thirty days.

1932 Code, § 1503; Cr. C. '22, § 451; Cr. C. '12, § 441; 1905 (24) 871.

§ 5043. Report infants with diseased eyes.—Should one or both eyes of an infant become reddened or inflamed at any time after birth, it shall be the duty of the midwife or nurse or person having charge of said infant to report the condition of the eyes at once to the local board of health of the city or town in which the parents of the infant reside. Any failure to comply with the provisions of this section shall be punishable by a fine not to exceed twenty-five dollars, or imprisonment not to exceed one month, or both. This section shall not apply to towns or cities of less than one thousand inhabitants.

1932 Code, § 1489; Cr. C. '22, § 433; Cr. C. '12, § 443; Cr. C. '02, § 331; 1896 (22) 225.

§ 5043-1. Instill in eyes of baby within one hour after birth prophylactic prevent blindness.—Every doctor, midwife, nurse, or other person attending the delivery at birth of a child in the State of South Carolina is re-

quired to instill, or have instilled, into the eyes of the baby, within one hour after birth, a one (1%) per cent solution of silver nitrate, or some equally effective prophylactic, approved by the state department of public health, for prevention of blindness from ophthalmia neonatorum. A record of such administration or installation shall be reported on the birth certificate, showing the time with respect to the birth and the kind of prophylactic administered.

1939 (41) 159.

§ 5044. Venereal diseases contagious.—Syphilis, gonorrhea and chancroid, hereinafter designated as venereal diseases, are hereby declared to be contagious, infectious, communicable and dangerous to the public health. It shall be unlawful for anyone infected with these diseases, or any of them, to expose another to infection.

1932 Code, § 1493; Cr. C. '22, § 438; 1919 (31) 30.

§ 5044-1. Report cases.—Any physician or other person who makes a diagnosis in or treats a case of venereal disease, and any superintendent or manager of a hospital, dispensary or charitable or penal institution in which there is a case of venereal disease, shall make a report of such case to the health authorities according to such form and manner as the state board of health shall direct: *provided*, that nothing herein contained shall be so construed as to require or allow any physician or other person herein required to make such report to divulge the name or names of any person or persons, male or female, who may be afflicted with such diseases.

1932 Code, § 1494; Cr. C. '22, § 439; 1919 (31) 30.

§ 5044-2. Examination—treatment—isolation.—State, county and municipal health officers, or (sic) their respective jurisdictions, are hereby directed and empowered, when in their judgment it is necessary to protect the public health, to make examination of persons being or suspected of being infected with venereal disease, to require persons infected with venereal diseases to report for treatment until cured or to submit to treatment provided at public expense, and to isolate persons infected or reasonably suspected of being infected with venereal diseases.

1932 Code, § 1495; Cr. C. '22, § 440; 1919 (31) 30.

§ 5044-3. Examination of prisoners.—All persons who shall be confined or imprisoned in any state, county or city prison of this State may be examined and treated for venereal disease by the health authorities or their deputies. The state, county and municipal boards of health shall have authority to take over such portion of any state, county or city prison as may be necessary for a board of health hospital, wherein all persons who shall have been confined or imprisoned and who are suffering with venereal disease at the time of the expiration of their terms of imprisonment shall be isolated and treated at public expense until cured, or in lieu of such isolation such person may, in the discretion of the board of health, be required to report for treatment to a licensed physician or submit to treatment provided at public expense as provided in the preceding section.

1932 Code, § 1496; Cr. C. '22, § 441; 1919 (31) 30.

§ 5044-4. State board make rules.—The state board of health is hereby empowered and directed to make such rules and regulations as shall in its judgment be necessary for the carrying out of the purposes of sections 5044 thru 5044-5, including rules and regulations providing for such labor on the part of isolated persons as may be necessary to provide in whole or

in part for their subsistence, and to safeguard their general health, and such rules and regulations concerning venereal diseases as it may from time to time deem advisable. All such rules and regulations so made shall be of force and binding upon all county and municipal health officers and other persons affected by said section.

1932 Code, § 1497; Cr. C. '22, § 442; 1919 (31) 30.

§ 5044-5. Penalties violate venereal disease statute (§§5044 to 5044-5)—treatment of persons convicted—inspectors and coordinators.—Any person who shall violate any of the provisions of sections 5044 to 5044-5 or any lawful rule or regulation made by the state board of health pursuant to the authority therein granted, or pursuant to the authority granted by any other statute law, or shall fail or refuse to obey any lawful order issued by any state, county or municipal health officer, pursuant to the authority granted in this section, or any other law or the regulations prescribed thereunder, shall be guilty of a misdemeanor, and, upon conviction thereof by any court of competent jurisdiction, shall be fined not more than \$20.00, or be imprisoned for not more than 20 days, *provided, however*, that any person suffering from any of the venereal diseases described in section 5044 shall not be discharged from confinement unless they be pronounced cured of said disease by some state, county or municipal health officer, or upon the recommendation of the state board of health. If any such person be released prior to a complete cure having been effected of the venereal disease of which they are suffering, the state board of health shall direct such individual as to whom to report for further treatments and their failure to so report at such stated intervals as directed shall, in each instance, constitute a violation of the provisions of §§ 5044 thru 5044-5 and subject them, upon conviction thereof, to both the fine and the imprisonment hereinabove set forth. *Provided further*, that in order to coordinate the efforts of the various state, county and municipal health authorities and make more uniform the treatment, care and apprehension of persons violating provisions of §§ 5044 thru 5044-5, the Governor is authorized to appoint ten inspectors and coordinators who will serve under the state board of health in any section of the State that may be directed to operate by the state board of health, and their duties shall be to contribute in any way possible towards the enforcement of the provisions of §§ 5044 thru 5044-5, as amended, and they are hereby vested with the authority ordinarily invested in state police officers.

1932 Code, § 1498; Cr. C. '22, § 443; 1919 (31) 30; 1941 (42) 97.

No. 5.

VENEREAL DISEASES

Section 1. Syphilis, gonorrhea, granuloma inguinale, lymphogranuloma venereum, and chancroid, hereinafter designated venereal diseases are hereby declared to be contagious, infectious, communicable and dangerous to public health.

Section 2. Any physician or other persons who makes a diagnosis in, or treats a case of syphilis, gonorrhea, granuloma inguinale, lymphogranuloma venereum, or chancroid, shall report the same as hereinafter provided, and any superintendent, or manager of a hospital dispensary, or jail, or charitable or penal institution or other like place of detention, in which there is a case of venereal disease shall immediately segregate the same and shall report such case immediately in writing to the local health officer, stating the name or the case serial number, address, age, sex, color and occupation of the diseased person, the date of the onset of the disease, and the probable source of the infection. (In cases of syphilis, also the probable stage of the disease.) Furthermore, such reports shall be made upon forms prescribed and furnished by the State Board of Health, which shall include window envelopes for purposes of secrecy en route, and the local health officer shall, in turn, promptly forward records of such cases to the State Board of Health at such times and upon such forms as shall be designated by the said State Board of Health, PROVIDED,

HOWEVER, That all cases occurring in counties not having local health officers shall be reported immediately by the attending physician to the State Board of Health direct.

Section 3. State, county and municipal health officer, in their respective jurisdictions, are hereby directed and empowered when in their judgment it is necessary, to protect the public health, to make examination of persons being or suspected of being infected with venereal diseases, to require persons infected with venereal diseases to report for and submit to adequate courses of treatment until rendered non-infectious, or to submit to such adequate treatment provided at public expense, and to isolate persons infected or reasonably suspected of being infected with venereal disease, and the term "adequate treatment" shall be taken to mean any plan of treatment carried out over a sufficient period of time which in the opinion of the physician, is capable of rendering the patient non-infectious so far as that particular attack of the given disease is concerned.

Section 4. All persons who shall be confined or imprisoned in any State, county or city prison or other like place of detention of this State shall be examined and treated for venereal disease by the health authorities or their deputies, without pay, or by other physicians who may be employed by the respective county authorities for such duties. The State, county and municipal boards of health shall have authority to take over such portion of any State, county or city prison or other like place of detention, as may be necessary for a board of health hospital, wherein all persons who shall have been confined or imprisoned and who are suffering with venereal disease at the time of the expiration of their terms of imprisonment, shall be isolated and treated at public expense until rendered non-infectious, or in lieu of such isolation such person may, in the discretion of the Board of Health, be required to report for treatment to a licensed physician or medical health officer, or submit to treatment provided at public expense until adjudged by the attending physician as being permanently non-infectious.

Section 5. It shall be the duty of every physician and of every other person who examines or treats a person having syphilis, gonorrhea, granuloma inguinale, lymphogranuloma venereum, or chancroid, to instruct him in measures for preventing the spread of such disease, and of the necessity for treatment until adjudged by him to be permanently non-infectious, and to hand him a copy of the circular of information obtainable for this purpose from the State Board of Health.

Section 6. Upon receipt of a report of a case of venereal disease it shall be the duty of the local health officer to institute measures for the protection of other persons from infection by such venereally infected persons.

(a) Local health officers are authorized and directed to quarantine persons who have or are reasonably suspected of having syphilis, gonorrhea, granuloma inguinale, lymphogranuloma venereum, or chancroid, whenever, in the opinion of the said local health officer, or State Board of Health or its secretary, quarantine is necessary for the protection of the public health. In establishing quarantine the health officer shall designate, and define the limits of the area in which the person known to have, or reasonably suspected of having syphilis, gonorrhea, granuloma inguinale, lymphogranuloma venereum, or chancroid, and his immediate attendant, are to be quarantined, and no person, other than the attending physician, shall enter or leave the area of quarantine without the permission of the local health officer.

No one but the local health officer shall terminate said quarantine, and this shall not be done until the diseased person has become non-infectious as determined by the local health officer or his authorized deputy through clinical examination and all laboratory tests, or until permission has been given him so to do by the State Board of Health or its Secretary.

(b) The local health officer shall inform all persons who are about to be released from quarantine for venereal disease, in case they are not rendered non-infectious, what further treatment should be taken to complete their necessary clinical management. Any person not rendered non-infectious before he is released from quarantine shall be required to sign the following statement after the blank spaces have been filled to the satisfaction of the health officer:

I _____ Residing at _____
hereby acknowledge the fact that I am at this time infected with _____
and agree to place myself under the general medical care of _____
(Name of Physician or Clinic)
address _____ within _____ hours, and that
I will remain under the treatment of said physician or clinic until released by the
health officer of _____ or until my case is transferred with
the approval of said health officer to another regularly licensed physician or ap-
proved clinic.

I hereby agree to report to the health officer within four days after the beginning

of treatment as above agreed, and will bring with me a statement from the above physician or clinic of the medical treatment applied in my case, and thereafter will report as often as may be demanded of me by the health officer.

No one but the local health officer shall terminate said quarantine, and this shall not be done until the diseased person has become non-infectious as determined by the local health officer or his authorized deputy through clinical examination and all laboratory tests, or until permission has been given him so to do by the State Board of Health or its Secretary.

I agree, further, that I will take all precautions recommended by the health officer to prevent the spread of the above disease or diseases to other persons and that I will not perform any act which would expose other persons to the above disease or diseases.

I agree, until finally released by the health officer, to notify him of any change of address and to obtain his consent before moving my abode outside his jurisdiction.

(Signature)

(Date)

All persons signing the above agreement shall observe its provisions, and any failure to do so shall be a violation of these regulations. All such agreements shall be filed with the health officer and kept inaccessible to the public as provided in Rule 10.

Section 7. Druggists Forbidden to Prescribe for Venereal Diseases.

No druggist or other person not a physician licensed under the laws of the State shall prescribe or recommend to any person any drugs, medicines, or other substances to be used for the cure or alleviation of syphilis, gonorrhea, granuloma inguinale, lymphogranuloma venereum, chancre, or shall compound any drug or medicine for said purpose from any written formula or order not written for the person for whom the drugs or medicines are compounded and not signed by a physician licensed under the laws of the State.

Section 8. Spread of Venereal Diseases Unlawful.

It shall be a violation of these regulations for any infected person knowingly to expose another person to infection with any of the said venereal diseases, or for any person to perform any act which exposes another person to infection with venereal disease.

Section 9. Giving Certificates of freedom from Venereal Diseases Prohibited.

Physicians, health officers, and all other persons are prohibited from issuing certificates of freedom from venereal disease, provided this rule shall not prevent the issuance of necessary statements of freedom from infectious diseases written in such form, or given under such safeguards, that their use in solicitation for sexual intercourse would be impossible.

Section 10. Records to be Secret.

All information and reports concerning persons infected with venereal diseases shall be inaccessible to the public except in so far as publicity may attend the performance of the duties imposed by these regulations and by the laws of the State.

§ 5045. Accommodations for prisoners with tuberculosis.

(1) **Separate cells or rooms.**—The county supervisors and county commissioners of the respective counties of South Carolina shall provide in the jails or places of confinement where prisoners are committed for keeping or sentenced to a term of imprisonment, separate cells or rooms or places in which shall be confined all prisoners who may be committed for keeping or sentenced to a term of imprisonment who are affected with tuberculosis.

(2) **Examination of prisoners by physician.**—It shall be the duty of the county supervisor or sheriff of any county, when a prisoner or inmate is placed in his custody, who the said official has reason to suspect is suffering with tuberculosis, to have such prisoner or inmate examined by a physician, and if such prisoner or inmate shall be pronounced by the examining physician as a tuberculosis person, then the prisoner or inmate shall be placed in a cell or place provided for by this section.

(3) **Superintendents and boards of directors to provide separate places of confinement.**—It shall be the duty of superintendents and boards of directors of all state, penal and charitable institutions, to provide separate

places of confinement for all prisoners and inmates who have been pronounced by the physician in charge as a tuberculosis person.

(4) Cells of tuberculosis prisoners not to be used for other prisoners—fumigation.—All cells and places of confinement provided for in this section for tuberculosis prisoners and inmates, shall under no conditions be used for the imprisonment or keeping of persons who are well and not affected with tuberculosis, unless the said cells and places of confinement have been thoroughly fumigated and disinfected.

(5) Examination of prisoners within five days.—It shall be the duty of the jailer, keeper or warden of all places of confinement designated in this section, to have all prisoners and inmates who are suspected to be suffering with tuberculosis, examined within five days after they have been committed.

(6) Association of prisoners on public works not prohibited.—Nothing in this section shall be construed as to interfere with or prevent the county authorities from working or housing together all prisoners on public works as now provided by law.

(7) Punishment for violation.—Any person or persons violating the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined or imprisoned in the discretion of the court.

1932 Code, § 1499; Cr. C. '22, § 444; 1915 (29) 196.

§ 5046. Transportation of dead bodies of contagious or infectious disease.—The transportation of bodies dead of any dangerous, contagious or infectious disease is absolutely forbidden, into, through or out of the State, or any city or town within the same, except on compliance with such rules and regulations as shall be made and ordained by the state board of health. And for the purpose of enforcing this section, the said board is hereby empowered and required by its executive committee to make and declare rules and regulations declaring what diseases shall be regarded as dangerous, contagious or infectious, and to classify the same, designating such as are of so dangerous a character that transportation of the dead is absolutely forbidden, and prescribing such regulations as the said board may deem proper for the transportation of the dead from other causes. The said rules and regulations as may be adopted by the said board be submitted to the Governor for his approval, and be published in at least three daily papers of this State, and be advertised and disseminated by such other methods as to the board may seem expedient, and such rules and regulations shall go into effect on the approval of the Governor.

1932 Code, § 5024; Civ. C. '22, § 2334; Civ. C. '12, § 1588; Civ. C. '02, § 1094; 1900 (23) 408.

§ 5046-1. Burying or burning of all dead animals and poultry required.—Whenever any animal or poultry shall die from any natural or other cause, except from being slaughtered or killed for the use of man, or the dead body thereof be found upon the premises of any person, be he the owner or tenant thereof, the owner or owners of such dead animals and poultry, or the owner or owners or tenants on lands or premises upon which such dead bodies may be found, shall immediately burn or bury, or cause to be burned or buried, such dead animals and poultry, and when buried if an animal it shall be put not less than three feet, and when poultry not less than one foot, under the ground. The owner or owners of such dead animals or poultry who knowing that such dead animal or poultry is lying dead upon his own premises, or a tenant on premises having such knowledge or having notice thereof, refuses or fails to bury or burn such dead animals or poultry as aforesaid, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum of not less than five

dollars nor more than ten dollars, or be imprisoned for a period of not more than thirty days.

1932 Code, § 1492; Cr. C. '22, §§ 434, 437; Cr. C. '12, § 444; Cr. C. '02, § 332; 1900 (22) 447; 1912 (27) 704.

§ 5047. Analysis required of public and certain other water supplies.—

Every person, corporation, commission, municipality or company conducting or operating a public water supply serving municipalities, districts, communities, or a quasi-public water supply serving institutions, colleges, hospitals, factories or a business of bottling water to be sold or used for drinking, beverage or medicinal purposes, shall have made at least once every three months, at its own expenses by a chemist and bacteriologist, to be approved by the state board of health, a chemical and bacterial analysis, and that no charge shall be rendered for additional analysis other than the quarterly analysis above required, to be approved by the state board of health, of a sample of its water drawn from a faucet used for drinking purposes, packed and shipped in accordance with the instructions to be furnished by the secretary of the state board of health, and the result of such examination shall be verified by the chemist and bacteriologist making the same, and published at least once in a newspaper published in the town or city using said water, within ten days after receipt thereof.

1932 Code, § 5033; Civ. C. '22, § 2343; Civ. C. '12, § 1599; 1907 (25) 536; 1917 (30) 39; 1922 (32) 921.

§ 5048. Fee for bacteriological examination.—For carrying out the provisions of §§ 5047 thru 5049-1, the state board of health is authorized and empowered to have the bacteriological examination made as hereinbefore provided for and to charge for the same the sum of five (5.00) dollars for each examination.

1932 Code, § 5034; Civ. C. '22, § 2344; Civ. C. '12, § 1600; 1907 (25) 536.

§ 5049. State board inspect water sheds and examine public water supplies.—

As a check and as a guarantee of the faithful performance of the requirements laid down in §§ 5047 thru 5049-1 the state board of health shall make or have made by its authorized agents such inspections of the water-sheds and such chemical and bacteriological examinations of the public water supplies of the State as may be deemed necessary to insure their purity. Should such inspections or examinations show condition or conditions dangerous to the public health, the secretary of the state board of health shall notify the mayor, the municipal health officer and the superintendent or manager of the waterworks at fault, and demand the immediate removal of said dangerous condition or conditions. If at the end of thirty days after the service of said notice and demand, the said dangerous condition or conditions shall have not been removed to the extent that due diligence could accomplish such removal, the said secretary shall have printed in one or more of the local newspapers a plain statement of the facts for the information and protection of the citizens using the water: *provided*, that nothing herein contained shall be construed to prohibit any municipality from imposing such additional tests and requirements as they may deem necessary, and the decision of the municipal authorities shall be supreme.

1932 Code, § 5035; Civ. C. '22, § 2345; Civ. C. '12, § 1601; 1907 (25) 536.

§ 5049-1. Penalties violate §§ 5047 thru 5049-1.—Every water company, its managing officers and directors, and the mayor and aldermen of every

city and town, who shall neglect or fail to comply with and carry out the provisions of sections 5047 thru 5049-1, shall be guilty of a misdemeanor, and punished by a fine of not exceeding one hundred dollars, or by imprisonment not exceeding thirty days for each and every offense.

1932 Code, § 1448; Cr. C. '22, § 396; Cr. C. '12, § 404; 1907 (25) 536; 1931 (37) 254; 1933 (38) 87.

§5050. Privies.

(1) **"Privy" defined.**—The term "privy" as used in this section shall be understood to include any and all buildings which are not connected with a system of sewerage or with septic tanks of such construction and maintenance as approved by the South Carolina state board of health, and which are used for affording privacy in acts of urination or defecation.

(2) **Requirements for residences.**—No person shall maintain or use a residence, located within three hundred yards of another residence, that is not provided with sewerage, or with septic tanks approved by the South Carolina state board of health, or by any person or persons employed by the owner, shall be maintenance with the requirements of this section: *provided, however*, that nothing in this section shall curtail the right of a municipality to require and enforce immediate sewer connection.

(3) **Privies within 300 yards of residences regulated.**—Every privy located within three hundred yards of the residence or house of any person, whether occupied by the owner or tenant or by any person or persons employed by the owner, shall be maintained in a sanitary manner and in accordance with rules and regulations to be prescribed by the South Carolina state board of health and posted in a suitable form inside of the privy by an officer of the said board.

(4) **Persons responsible for condition of privies.**—The head of a family or household, the proprietor of a boarding house, hotel, restaurant or store, the principal or superintendent of a school, the agent or station-master of a railroad station or depot, or the person in charge of an office building, establishment or institution, shall be responsible for the sanitary maintenance of such privy or privies as may be used by his or her household, guests, customers, pupils, passengers, occupants, employees, workers or other persons.

(5) **Powers of state board of health.**—The South Carolina state board of health, through its officers and inspectors, shall exercise such supervision over the sanitary construction and maintenance of privies as may be necessary to enforce the provisions of this section.

(6) **Duties of inspectors.**—If an officer or an inspector of the South Carolina state board of health shall find a privy located within three hundred yards of the residence of a person which is not constructed in accordance with the provisions of this section, he shall securely fasten on the said privy a notice reading, "Unsanitary, unlawful to use"; and if the inspector or officer of the aforesaid board shall find, in the course of his inspection, a privy not being maintained in a sanitary manner and in accordance with the rules and regulations of the South Carolina state board of health for the maintenance of privies, he shall securely fasten on the privy a notice reading, "Unsanitary, unlawful to use."

(7) **Removal of notice prohibited.**—No person shall remove or deface an official notice fastened on or in a privy by an officer of the South Carolina state board of health.

(8) **Violation a misdemeanor—penalties.**—Any person who violates any of the aforesaid provisions of this section, and any person who is responsible for the sanitary maintenance of a privy and who permits such privy, after an official notice reading, "Unsanitary, unlawful to use," has been

fastened on it, to be used, shall be guilty of a misdemeanor and fined not less than five dollars nor more than fifty dollars, or imprisoned not exceeding thirty days.

(9) Powers of inspector—interference a misdemeanor.—The members of the executive staff of the South Carolina state board of health, and such additional state sanitary inspectors as shall be appointed for the enforcement of this section, are hereby authorized and empowered to enter upon any premises and into any buildings or institutions for the purposes of inspection as provided for or required by state laws or regulations of the South Carolina state board of health pursuant to the said laws, but the privacy of no person shall be violated. Any persons who wilfully interfere with or obstruct the officers of the South Carolina state board of health in the discharge of any of the aforementioned duties shall be guilty of a misdemeanor and subject to a fine of not less than one hundred dollars nor more than one thousand dollars, or imprisonment at the discretion of the court.

(10) Provisions applicable to all privies on watershed of water supplies—"watershed" defined.—The provisions of this section shall apply to all residences, institutions, and establishments, and all privies, without regard to their distance from the home of persons which are located on the watershed of a public surface water supply. For the purpose of this section the term "watershed" shall include the entire watershed of all streams, creeks and rivers that have a daily average flow of less than ten million gallons, but for watersheds of streams, creeks or rivers that have a daily average flow of more than ten million gallons, the watershed shall include only such drainage areas as lie within fifteen miles of the waterworks intake.

(11) Not applicable to farm homes more than one mile from municipalities.—This section shall not apply to the residences of farmers and the homes of their tenants that are located more than one mile from the corporate limits of a town or city or the geographic center of a village.

(12) Designation of inspectors—health units.—The state board of health shall designate as its agents local health inspectors of incorporated towns or cities for the enforcement of the terms of this section, and the rules and regulations issued pursuant thereto, within one (1) mile outside the corporate limits of such town or city; and it shall be the duty of such local health inspectors to enforce such rules and regulations as may be issued by said state board of health under the terms of this section. In counties having health units it shall be the duty of such health units to enforce the rules and regulations of said state board of health in the territory of such counties lying beyond the distance of one (1) mile from the corporate limits of towns or cities having local health inspectors.

(13) Provisions as to state board of health cumulative.—The duties impose upon and the authority granted by this section to the state board of health shall be in addition to the powers and duties heretofore imposed upon and required of said state board of health.

1932 Code, § 5041; 1928 (35) 1310.

No. 16.

PIT PRIVIES

Section 1. All sanitary privies constructed in the State under section 5050, Code 1942, shall conform to plans and specifications of the state board of health, which will be furnished by the local county health officer.

Section 2. They shall be maintained in the following manner:

- (1) Place about half a bushel of stable manure in the new pit.
- (2) Keep all parts of building clean and in good repair.
- (3) Should the pit cave in it must be repaired promptly.
- (4) The lid on the seat must be kept closed at all times when it is unoccupied.
- (5) Only toilet paper should be used. Other heavier material will cause the pit to fill more rapidly.

(6) Permit no light to enter the pit through small holes or cracks. The presence of cracks allows flies to enter. Keep the screening on the riser ventilator in good repair.

(7) During the months from April to October a cup full of kerosene emptied into the pit once a week will tend to prevent the possible breeding of mosquitoes.

(8) When the privy contents reach within 18 inches of the top of the pit the building must be removed to a new pit and the old pit completely filled with earth.

(9) The mound must be maintained at all times in such a manner that it will have a smooth, gentle slope from mud sill to original ground surface.

Section 3. When any privy is to be condemned it shall be in the following manner:

(a) A notice shall be nailed on the door of the privy stating that it is not being maintained in a sanitary manner, and that it will have to be put in a sanitary condition before the elapse of seven days. This notice is to be signed and dated by the county health officer. When the seven days have elapsed an inspection shall be made, and if the privy is still in an unsanitary condition, the following notice shall be nailed across the door so that it will have to be broken: "Unsanitary, Unlawful to use," and signed by the county health officer.

No. 17.

WELLS AND SPRINGS

Section 1. No water furnished to the public for domestic use from wells and/or springs shall contain bacteriological, biological, chemical, or physical impurities which may injuriously affect or tend to affect public health.

Section 2. Wells: (a) All wells used as a public source of supply for domestic purposes whether dug, driven point, or drilled and cased shall be so located, constructed, and topped and the pump so attached as to prevent pollution of the well water.

(b) Newly constructed and/or reconstructed wells, pumps, water pressure systems, and new piping shall be adequately sterilized. The water shall subsequently be tested for bacteriological cleanliness by either the state board of health or a laboratory approved by the state board of health before such water is used.

(c) Open wells and pitcher pumps are not approved.

Section 3. Springs: All springs used as a public source of supply for domestic purposes shall be amply protected against pollution. The water shall be tested by the state board of health or by a laboratory approved by the state board of health before being used.

§ 5051. Sanitary closets in mill villages.

(1) **State board of health may require sewerage systems.**—To protect the public health persons, firms or corporations engaged in manufacturing in this State and owning or renting or leasing to their operatives houses and tenements, are hereby required to furnish to the operatives occupying such houses and tenements sanitary closets within or adjacent to each of such houses: *provided*, sewerage systems shall be installed by said manufacturing plants when in the judgment of the state board of health such are necessary to protect the public health: *provided, further*, the installation of sewerage systems is feasible as an engineering proposition and can be installed without unreasonable cost to the manufacturing enterprise.

(2) **Powers of state board of health.**—The construction and location of the sanitary or sewerage system and the method of keeping the same in a sanitary condition as herein required shall be under the supervision and control of the state board of health; and the state board of health is hereby empowered and required to make rules and regulations for the location, construction and method of keeping, cleansing and rendering sanitary such sanitary or sewerage systems and maintaining the same as may be necessary.

(3) **Sanitary survey.**—Sanitary engineers of the state board of health shall make a sanitary survey upon complaint from any person aggrieved occupying any house in such congested center and writing to the manufacturers the construction, alteration or maintenance in sanitary methods necessary.

(4) **Condemnation proceedings.**—If, in the judgment of the state board of health, it is necessary to condemn land for the purpose of establishing and

maintaining a sanitary or sewerage system, the state board of health shall institute condemnation proceedings as now provided by law, the expenses thereof and the judgment therein to be borne and satisfied by the manufacturers whose sanitary condition renders the condemnation necessary.

(5) Maintenance.—Said sanitary closets or sewerage system shall be maintained in sanitary condition and changed from time to time when necessary to protect the public health.

(6) Penalties violate rules or orders of state board of health.—Any person, persons, firm or corporation, or the occupant of any house, refusing or neglecting to carry into effect or obey the rules and regulations as established by the state board of health, or any orders issued by said board of health as provided in this section, shall, upon conviction, be fined in a sum not exceeding five thousand (\$5,000.00) dollars or not less than five hundred (\$500.00) dollars: *provided*, the attorney general, on the petition of the state board of health, or any person aggrieved, shall prosecute any action or proceeding necessary to carry into effect the provision hereof.

1932 Code, § 5042; 1928 (35) 1265.

§ 5052. Textile manufacturers to install sewerage systems.—In order to protect the public health, all persons, firms or corporations engaged in textile manufacturing in this State and owning or renting or leasing to their operatives houses and tenements are hereby required to furnish to the operatives occupying such houses and tenements sewerage closets adjacent to the houses. Each textile manufacturing plant shall install a sewerage system in its plant as set forth in this section: *provided*, the provisions of this section shall apply only to such textile plants as shall be located on a creek, river, pond or other body of water sufficient to receive the sewerage from the mill and homes in the village of such plants without menace to health, and only when the drainage and soil leading to such waters make it practical to afford sewer connections with such waters, and only to such textile communities as now have sewer connections from homes in the village with such waters: *provided, further*, the installation of such sewerage systems is feasible as an engineering proposition and can be installed without unreasonable cost to the manufacturing enterprise; and *provided, further*, unless such body of water is in or borders on such textile community such plant shall not be required to install sewer lines unless the main line is sufficient to take care of the conditions. The construction and location of the sewerage system and the method of keeping the same in a sanitary condition, as heretofore set forth, shall be under the supervision and control of the state board of health; and the state board of health is hereby empowered to make rules and regulations for the location, construction and method of keeping, cleansing and rendering sanitary such sewerage system as may be necessary. Sanitary engineers of the state board of health are to make a sanitary survey upon complaint, and submit in writing to mill management the construction or alteration in sanitary methods necessary. If it is necessary to condemn land for the purpose of establishing a sewerage system, the said textile manufacturing plant shall institute condemnation proceedings as now provided by law. The said textile establishments are hereby required on or before January 1st, 1930, to begin installing sewer system and shall complete their several sewer systems as herein required within two years after the passage of this section: *provided*, that the state board of health may in cases where they deem it necessary extend the time for a period of not longer than one year. Any person, persons, firm or corporation, or the occupant of any house, refusing or neglecting to carry into effect or obey the rules and

regulations as established by the state board of health, or any orders issued by same as provided by this section, shall, upon conviction be fined in a sum not exceeding one hundred dollars, or not less than twenty-five dollars, and that each day of such violation shall constitute a separate offense.

1932 Code, § 1467; 1929 (36) 283.

§ 5052-1. Property owners provide their premises with suitable garbage containers in certain cities of 2,700 to 3,500.—Where the owner or owners of lots or other real property located within the corporate limits of a city or town with a population of between two thousand seven hundred (2,700) and three thousand five hundred (3,500) according to the last United States government official census, refused to provide said premises with a suitable garbage container of a type approved by the health department of the said city, whether the said premises be occupied by the owners thereof or by tenants, the owner of said property shall be given written notice to provide said premises with a suitable garbage container and if he or they fail to do so within one week after such notice then the said city authorities shall have the right to place upon the said premises a suitable garbage container, and the actual cost thereof shall be assessed against the said property and become a lien thereon and collected at the time of collecting taxes and in the same manner as now provided by law for collecting of taxes. *Provided*, the provisions of this section shall not apply to the city of Cheraw. *Provided*, the provisions of this section shall not apply to the county of Chesterfield. *Provided*, the provisions of this section shall not apply to the counties of Abbeville and Marion. *Provided*, the provisions of this section shall not apply to towns and cities in York and Chester counties within limits mentioned in the same. *Provided*, all towns in Fairfield County within the limits of population named in the section shall be exempted. *Provided, however*, that Florence County shall be exempted from the provisions of this said section. The provisions of this section shall not apply to such towns and cities in Lee County. The provisions of this section shall not apply to such towns and cities in Horry County. *Provided*, nothing herein contained shall apply to Spartanburg County. *Provided, however*, that Anderson County is hereby exempt from the provisions of this section. *Provided*, the provisions of this section shall not apply to Anderson and Greenwood Counties. *Provided*, the provisions of this section shall not apply to Cherokee, Greenville and Orangeburg Counties. *Provided*, Pickens and Kershaw Counties shall be exempted from the provisions of this section. *Provided*, the provisions of the section shall not apply to Charleston, Lexington and Darlington counties. *Provided*, the provisions of this section shall not apply to towns in Dillon County. *Provided*, the provisions of this section shall not apply to Cherokee, Chester, Lexington, Lee, Newberry, Fairfield, Laurens, Orangeburg, Bamberg, Colleton, Clarendon, York, Aiken and Pickens Counties.

1941 (42) 242.

§ 5053. Provide adequate sewerage, running water, streets and roads before selling lots in real estate developments in counties with city over 70,000.

(1) **Provide sewerage and running water.**—In all counties containing a city of over 70,000 population according to the official United States census, it shall be unlawful for any person, firm or corporation to sell, offer for sale, agree to sell, or otherwise dispose of any lots or other portions of any real estate development in any such county, unless and until such person, firm or corporation shall have secured from the county health officer of the county in which the property lies, and has filed with the clerk of court of

said county, the certificate of such health officer to the effect that adequate sewerage has been provided in and for such real estate development, and that adequate arrangements have been made for the purpose of furnishing running water to the property in such real estate development to insure reasonable and adequate health and sanitary conditions therein.

(2) Provide adequate streets and roads.—In all counties containing a city of over 70,000 population, according to the official United States census, it shall be unlawful for any person, firm or corporation to sell, offer for sale, agree to sell, or otherwise dispose of any lots or other portions of any real estate development in any such county, unless and until such person, firm or corporation shall have secured from the sanitary and drainage commission or the county board of commissioners of the county in which the property lies, a certificate to the effect that adequate roads and streets have been provided in such real estate development to afford access to properties therein, in accordance with the representations made in or included in the prospectus or proposed contract or deed upon the basis of which the lot or lots in such development are offered for sale.

(3) Penalties.—Each violation of any of the provisions of this section shall be a misdemeanor, and upon conviction the person, firm or corporation so convicted shall be fined not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars nor imprisoned not less than ten (10) days nor more than thirty (30) days.

(4) Intent—effect on sales.—It is the intent of this section to require the vendors of the type of real estate herein referred to comply with the restriction of this section but the validity of a sale of such real estate shall not be impaired by the vendor's failure to so comply, and the provisions of this section shall not attach to any person, firm or corporation other than the person, firm or corporation who shall first lay out the sub-division.

1936 (39) 1482; 1941 (42) 63.

§ 5055-1. Anderson County board of health.

(1) Authorized.—Anderson County, South Carolina, shall have and maintain a county board of health, under the direction and control of the state board of health, as now provided by law, for the direction and control of local boards of health in incorporated cities, towns and villages.

(2) Appointment.—The said county board of health shall be composed of a member of the county teachers' association, duly elected and appointed by the said county teachers' association; a member of the county council of farm women, duly elected and appointed by the said county council of farm women; a member of the county tuberculosis association, duly elected and appointed by the said county tuberculosis association; three (3) members of the county medical society, duly appointed and elected by the county medical society; one licensed dentist of Anderson County duly appointed by the licensed dentists of Anderson County; a bona fide resident of the county duly elected and appointed by the county delegation to the General Assembly; a bona fide resident of the county duly elected and appointed by the state board of health. That immediately upon their election their names shall be certified to the state board of health.

(3) Term—appointment.—The members of the county board of health, functioning as such, are to serve for a term of one year and until their successors have been elected and qualified. *Provided*, that if for any reason the members of the said county board of health are not appointed, it shall be the duty of the state board of health to forthwith appoint such duly qualified residents of the county, to serve on the said county board of health as may be necessary.

(4) **Duties and powers.**—The county board of health is hereby vested with all the rights, powers, duties, privileges and responsibilities that are now imposed by law upon local boards of health in incorporate cities, towns and villages.

(5) **Employees.**—All personnel that may be employed in the county health unit shall be recommended by the Anderson County board of health and approved by the state board of health.

(6) **Jurisdiction.**—The said county board of health is hereby empowered with jurisdiction over all that area lying in the county beyond the incorporated limits of cities, towns and villages. *Provided, further,* that if the duly constituted authorities of any incorporate city, town and village, desire to relinquish their own rights, duties, powers and privileges as provided by law, they shall have the right to do so, and forthwith shall become within and under the jurisdiction and authority of the said county board of health.

(7) **Appropriate necessary funds—disbursement.**—The necessary appropriation be provided by members of the General Assembly to carry out the provisions of this section for the county board of health and county health department, and that the said moneys so appropriated shall remain in the custody of the county authorities to be paid out upon properly prepared vouchers of the county health department. Said vouchers having been approved for payment by the county board of health.

(8) **Secretary—services county health departments and district health departments render.**—The director of the county health department shall be secretary of the county board of health; he shall be the custodian of books, papers, instruments or appliances belonging to said board of health or that may be intrusted to his care; he shall summon the board to meetings and shall attend all meetings of the board unless otherwise ordered, and shall discharge the duties appertaining to the office of secretary.

The county health departments and district health departments carrying on their duties shall be expected and directed to render the following services: The control of contagious diseases, by locating and isolating cases, quarantining those exposed and inducing strict bedside precautions, and by giving all forms of biologicals which have been recognized as preventive by the state board of health; *provided*, that the same shall only be given to the indigent with the consent of the family physician, or in the event of threatened epidemics or as directed by the state board of health; examination of school and pre-school children; the inspection of all food manufacturing and vending establishments, school houses and other public buildings; infant and maternity welfare work and all approved forms of modern sanitation, especially of the rural homes; and such other activities as may be directed by the state board of health.

1936 (39) 1621.

§ 5055-3. File vital statistics reports with county health department. Berkeley County.—All persons now by law required to file vital statistics reports in the office of the clerk of court in Berkeley County, shall file the same instead with the Berkeley County health department, which department shall keep and preserve the same as a public record as now required of said clerk of court. The Berkeley County health department is hereby authorized and directed to issue copies of said reports to any person requesting same, and to use an impression seal.

1939 (41) 100.

§ 5055-7. County health board of Charleston County.

(1) **Appointment—terms—vacancy.**—There shall be a county health board

of Charleston County, which shall consist of seven (7) members, six (6) of whom shall be appointed by a majority of the Charleston County legislative delegation, and one (1) of whom shall be appointed by the city council of Charleston. They shall be commissioned by the Governor and shall hold office for the terms herein provided.

Of the six (6) appointed by the Charleston County legislative delegation, at least one (1) shall be a resident of that section of the county lying east of the Cooper River, at least one (1) shall be a resident of that section of the county lying north of the city of Charleston between the Cooper River and the Ashley River, and at least one (1) shall be a resident of that section of the county lying west of the Ashley River.

The present members of the county health board of Charleston County shall constitute the first board hereunder, and shall hold office until the expiration of their present terms.

At the expiration of each of the terms herein provided for, a successor shall be named in the manner of the original appointment, whose term shall be for five (5) years from the date of the expiration of the term of his predecessor. In the event of any vacancy on the board caused by death, resignation or inability to serve, a successor shall be named in like manner for the balance of the unexpired term.

(2) County health officer.—The county health board shall employ a county health officer for Charleston County, who shall serve in such capacity so long as his services are satisfactory, and who shall be subject to removal for cause by the health board at any time. No person shall be appointed to fill this office unless he shall be a graduate of a reputable medical college and otherwise qualified through training to carry on public health work.

(3) Employees.—The county health officer may employ, subject to the approval of the Charleston County board of health, such personnel as may be necessary to suitably supervise and maintain satisfactory health conditions in Charleston County. All, or any, of these employees may be discharged by the county health officer for cause, subject to the approval of the Charleston County board of health. The salaries of all employees shall be fixed by the Charleston County board of health.

A merit system shall be instituted by the Charleston County board of health by which all appointments and promotions in the personnel of the health department shall be governed.

(4) Jurisdiction of county health officer or his agents—penalties hinder.—The county health officer, under his direction, the personnel of the health department, shall have jurisdiction in the entire county of Charleston and any sub-division thereof. They shall be charged with the duties of enforcing all health or sanitary laws of the State, and regulations of the state board of health, and all health and sanitary laws and ordinances of the city and county of Charleston.

The health officer, or his agents, shall have the authority and full power at all reasonable hours, to enter upon and inspect any property within the county of Charleston or any sub-division thereof.

It shall be unlawful for any person to hinder or interfere with any representative or agent of the Charleston county health department in the discharge of his duties. Any violation of this provision shall constitute a misdemeanor and, upon conviction, shall be subject to a penalty of not more than one hundred (\$100.00) dollars fine or thirty (30) days imprisonment.

(5) Rules and regulations—penalties.—The county health board is hereby empowered to make reasonable rules and regulations for the promotion of health and the prevention of disease within Charleston County. Any

person violating any rule or regulation of the said board, after he or she shall have been notified thereof in writing by the board, or any of its authorized agents, shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned for not less than three (3) days or more than ten (10) days, or pay a fine of not less than five (\$5.00) dollars or more than twenty-five (\$25.00) dollars. Each day that any such regulation is not obeyed, after one notice of the violation thereof, shall constitute a separate offense. Notice by registered mail shall be sufficient notice. The penalty herein provided shall be in addition to other penalties or remedies provided by law.

(6) Cooperate with certain institutions—cases and communicable diseases—lunatics.—The county health board shall cooperate with and assist the various hospitals, health and charitable institutions in Charleston County, to which an appropriation is given by Charleston County. It shall have full power and authority to direct the disposition of cases and communicable diseases, and may recommend the commitment of persons found to be lunatics to the state asylum in Columbia.

(7) Physicians report communicable diseases.—Any physician attending any patient in the county of Charleston who has a communicable disease shall, within twenty-four (24) hours after diagnosing such disease, report to the county health officer the name and residence of such person and nature of the disease.

(8) Appropriations—expenditure—accounting.—Funds appropriated from Charleston County for the Charleston County health department shall be expended under the direction of the Charleston County board of health, for the various activities of the health department, and accounted for by the health officer on vouchers to the Charleston County bureau of welfare.

(9) Bureau of vital statistics' fees—expenditure.—Bureau of vital statistics' fees shall be set up as a special reserve fund which shall be cumulative from year to year. The expenditure of this fund shall be under the direction of the board of health and shall be limited to use for (1) health department needs in emergencies; (2) equipment for improving the efficiency of the health department, not obtainable through ordinary budgetary means.

1940 (41) 1777.

§ 5055-9. Cherokee County board of health.

(1) Created.—The county of Cherokee shall have and maintain a county board of health, under the direction and control of the state board of health, as now provided by law for the direction and control of local boards of health in incorporated cities, towns and villages.

The said board of health shall be composed of the county superintendent of education, president of the county federation of women's clubs, or a member of said county federated clubs duly elected, or appointed, and a bona fide resident of the county of Cherokee appointed by members of the General Assembly from said county.

The members of this county board of health functioning as such, are to serve for a term of one (1) year and until their successors have been elected and qualified: *provided, however*, that if for any reason the said county board of health is not duly appointed that the state board of health shall have the right and authority to forthwith appoint duly qualified residents of the county of Cherokee to serve on said county board of health. The said county board of health shall meet every month and it shall be a part of their duty to render a report of their work annually to the state board of health, not later than December 1st of each year. They shall serve without pay.

The county board of health is hereby invested with all powers, duties, privileges and liabilities that are now imposed by law upon local boards of health in incorporate cities, towns and villages.

(2) County health department.—There shall be created and maintained a county health department. This health department shall function and be under the control and direction of the county board of health. The said county health department shall be in charge of a graduate of a regular reputable medical college, and a physician skilled in hygienic and sanitary science, who shall be specially trained and qualified in the practice of preventive medicine; and whose qualifications must be duly passed upon by the state board of health. He shall be elected by the county board of health upon nomination of the state board of health; he shall hold office at the pleasure of the county board of health and until his successor is elected and qualified.

That such additional personnel shall be appointed and employed as is consistent with the needs of the county who shall be appointed by the said director of the county health department, with and by the consent of the county board of health.

The director of the county health department shall render a monthly, quarterly and annual report to the county board of health and to the state board of health. This organization, functioning as a county health department, shall render the following services to the community:

(1) To teach the people the source of contagious diseases; the principal methods of their spread and the common sense methods of prevention.

(2) To prevent the spread of "catching diseases."

a. By locating and isolating the cases, quarantining those exposed and inducing strict bedside precautions.

b. By general sanitation.

c. By giving free to all who need it, typhoid and smallpox vaccines, diphtheria toxin, antitoxin and Pasteur treatments to those who are unable to pay for it.

(3) To inspect all food manufacturing and vending establishments and enforce state health regulations pertaining thereto. This refers especially to dairies and milk handlers.

(4) To inspect all schoolhouses and other public buildings and secure the necessary corrections relative to heating, lighting, ventilation, water supply and excreta disposal.

(5) To examine school children and children of pre-school age for physical defects that interfere with the physical and mental development of the child; notify the parents of the defects found and to strive to induce the correction of remediable defects.

(6) To examine for hookworm disease and furnish free treatment.

(7) To maintain a local laboratory for assisting in the diagnosis of tuberculosis, malaria, diphtheria, typhoid fever, intestinal parasites and other diseases.

(8) To make sanitary surveys of the county and induce the necessary corrections in water supplies, and methods of excreta disposal, and supervise mosquito and fly control measures.

(9) To emphasize to the public through various educational means, the necessity of screened homes, safe method of disposing of human excreta, etc.

(10) To emphasize the value of periodic examination for adults by demonstration and by all educational means, such as lectures, newspaper articles and pamphlets.

Provided, however, that only such services shall be rendered which are consistent with the personnel employed in said county.

This section shall be construed as giving to the county board of health and its legal representatives, the county health department, all the rights, duties, powers and privileges that are necessary to properly carry out its function of safeguarding the health of the community, and especially all the rights, powers, privileges, liabilities and duties that belong and appertain to the local boards of health in incorporate cities, towns and villages: *provided, however,* that nothing contained herein shall be construed as interfering with or limiting the rights and duties, and privileges now devolved by law upon the state board of health and its legal representatives.

(3) **Appropriation.**—The necessary appropriation be provided by members of the General Assembly to carry out the provision of this section for the county board of health and county health department, and the said moneys so appropriated shall remain in the custody of the county authorities to be paid out upon properly prepared vouchers of the county health department. Said vouchers having been approved for payment by the county board of health.

(4) **Secretary.**—The director of the county health department shall be secretary of the county board of health, he shall be the custodian of books, papers, instruments or appliances belonging to said board or that may be intrusted to his care; he shall summon the board to meetings and shall attend all meetings of the board unless otherwise ordered, and shall discharge the duties appertaining to the office of secretary.

1932 Code, § 4121; 1928 (35) 1799.

§ 5055-12. Health department, Darlington County—health officer.—There is hereby created the department of health of Darlington County which shall be under the control of the county manager. A county health officer shall be appointed by the manager to serve for a term of two (2) years subject to removal by the manager and until his successor is appointed and qualified. He shall be a licensed physician who has practiced his profession for at least five years. It shall be the duty of the county health officer to attend the medical needs of the jail and chaingang, and he shall visit these places as often as is required by the manager. He shall receive such compensation, give such bond, employ such assistants and perform such duties and exercise such functions as may be required by the manager. He shall conduct his work in association with and subject to the jurisdiction of the state board of health as now provided by law, and in all respects shall see to the carrying out in Darlington County of the general laws of the State respecting health and sanitation. When requested, he shall attend the meetings of the county board of public welfare, and assist that body in the performance of its duties.

1941 (42) 292.

§ 5056-3. Dorchester County board of health.

(1) **Members—terms, eac.**—From and after the passage of this section the county of Dorchester shall have and maintain a county board of health, under the direction and control of the state board of health, as now provided by law for the direction and control of local boards of health in incorporated cities, towns, and villages. The said board of health shall be composed of the county superintendent of education, a member of the State Federation of Women's Clubs and a bona fide resident of the county of Dorchester, appointed by members of the General Assembly from said county. The members of this county board of health functioning as such are to serve for a term of one (1) year and until their successors have

been elected and qualified: *provided, however*, that if for any reason the said county board of health is not duly appointed that the state board of health shall have the right and authority to forthwith appoint duly qualified residents of the county of Dorchester to serve on said county board of health. The said county board of health shall meet every month and it shall be a part of their duty to render a report of their work annually to the state board of health, not later than December 1st of each year. They shall serve without pay. The county board of health is hereby invested with all powers, duties, privileges, and liabilities that are now imposed by law upon local boards of health in incorporate cities, towns, and villages.

(2) County health department — director—duties.— From and after the passage of this section there shall be created and maintained a county health department. This health department shall function and be under the control and direction of the county board of health. The said county health department shall be in charge of a graduate of a regular reputable medical college, and a physician skilled in hygiene and sanitary science, who shall be specially trained and qualified in the practice of preventive medicine; and whose qualifications must be duly passed upon by the state board of health. He shall be elected by the county board of health; said officer, however, so elected shall in all respects meet with the approval of the state board of health, and in the event that said officer shall be disapproved by said state board of health, then the county board of health shall proceed to elect another such officer and continue so to do until it shall have elected such officer as shall meet with the approval of the said state board of health; he shall hold office at the pleasure of the county board of health and until his successor is elected and qualified. Such additional personnel shall be appointed and employed as is consistent with the needs of the county who shall be appointed by the said director of the county health department, with and by the consent of the county board of health. The director of the county health department shall render a monthly, quarterly and annual report to the county board of health and to the state board of health. This organization, functioning as a county health department shall render the following services to the community:

(1) To teach the people the source of contagious diseases; the principal methods of their spread and the common sense method of prevention.

(2) To prevent the spread of "catching diseases."

a. By locating and isolating the cases, quarantining those exposed and inducing strict bedside precautions.

b. By general sanitation.

c. By giving free to all who need it, typhoid and smallpox vaccines, diphtheria toxin-antitoxin, and Pasteur treatments to those who are unable to pay for it.

(3) To inspect all food manufacturing and vending establishments and enforce state health regulations pertaining thereto. This refers especially to dairies and milk handlers.

(4) To inspect all schoolhouses and other public buildings and secure the necessary corrections relative to heating, lighting, ventilation, water supply and excreta disposal.

(5) To examine school children and children of pre-school age for physical defects that interfere with the physical and mental development of the child; notify the parents of the defects found and strive to induce the correction of remediable defects.

(6) To examine the hookworm disease and furnish free treatment.

(7) To maintain a local laboratory for assisting in the diagnosis of tuberculosis, malaria, diphtheria, typhoid fever, intestinal parasites and other diseases.

(8) To make sanitary surveys of the county and induce the necessary corrections in water supplies, and methods of excreta disposal, and supervise mosquito and fly control measures.

(9) To emphasize to the public through various educational means, the necessity of screened homes, safe method of disposing of human excreta, etc.

(10) To emphasize the value of periodic examination for adults by demonstration and by all educational means such as lectures, newspaper articles and pamphlets.

Provided, however, that only such services shall be rendered which are consistent with the personnel employed in said county. This section shall be construed as giving to the county board of health and its legal representative, the county health department, all the rights, duties, powers and privileges that are necessary to properly carry out its function of safeguarding the health of the community, and especially all the rights, powers, privileges, liabilities and duties that belong and appertain to the local boards of health in incorporated cities, towns and villages: *provided, however,* that nothing herein contained shall be construed as interfering or limiting the rights and duties and privileges now devolved by law upon the state board of health and its legal representatives.

(3) Appropriations.—The necessary appropriation shall be provided by the members of the General Assembly to carry out the provisions of this section for the county board of health and county health department, and the said moneys so appropriated shall remain in the custody of the county authorities to be paid upon properly prepared vouchers of the county health department. Said vouchers having been approved for payment by the county board of health.

(4) Secretary of county board of health—duties.—The director of the county health department shall be secretary of the county board of health, he shall be the custodian of books, papers, instruments or appliances belonging to said board or that may be intrusted to his care; he shall summon the board to meetings of the board unless otherwise ordered, and shall discharge the duties appertaining to the office of secretary.

1932 Code, § 4299; 1931 (37) 701.

§ 5056-5. Florence County board of health.

(1) Members—term—powers, duties, etc.—From and after the passage of this section the county of Florence shall have and maintain a county board of health, under the direction and control of the state board of health, as now provided by law for the direction and control of local boards of health in incorporated cities, towns and villages. The said county board of health shall be composed of a member of the county Federation of Women's Clubs, a member of the county medical society, and two bona fide residents of the county of Florence, duly elected and appointed by the county delegation to the General Assembly and a bona fide resident of the county of Florence, duly elected and appointed by the executive committee of the state board of health. The members of this county board of health functioning as such are to serve for a term of one (1) year and until their successors have been elected and qualified: *provided, however,* that if for any reason the said county board of health is not duly appointed that the state board of health shall have the right and authority to forthwith appoint duly qualified residents of the county of Florence to serve on said county board of health. The said county board of health shall meet every month and it shall be a part of their duty to render a report of their work monthly, quarterly and annually to the state board of health. They shall serve without pay. The county board of health is hereby invested

with all powers, duties, privileges and liabilities that are now imposed by law upon local boards of health in incorporate cities, towns and villages.

(2) County health department—director—additional personnel.—From and after the passage of this section there shall be created and maintained a county health department. This health department shall function and be under the control and direction of the county board of health. The said county health department shall be in charge of a graduate of a reputable medical college, a physician skilled in hygienic and sanitary science, who shall be specially trained and qualified in the practice of preventive medicine; and whose professional qualifications must be duly passed upon by the state board of health. He shall be elected by the county board of health upon nomination of the state board of health; he shall hold office at the pleasure of the county board of health and until his successor is elected and qualified. Such additional personnel shall be appointed and employed, as is consistent with the needs of the county, who shall be appointed by the said director of the county health department, with and by the consent of the county board of health.

(3) Services render.—This organization, functioning as a county health department, shall render the following services to the community:

1. To teach the people the source of contagious diseases; the principal methods of their spread and the common sense methods of prevention.
2. To prevent the spread of communicable diseases.
 - a. By locating and isolating the cases, quarantining those exposed and inducing strict beside precautions.
 - b. By general sanitation.
 - c. By giving to all who desire it typhoid and smallpox vaccines, diphtheria toxin antitoxin, and Pasteur treatment. This provision is definitely contingent upon the amount of funds available.
3. To inspect all food manufacturing and vending establishments and enforce state health regulations pertaining thereto. This refers especially to dairies and milk handlers.
4. To inspect all school houses and other public buildings and secure the necessary corrections relative to heating, lighting, ventilation, water supply and excreta disposal.
5. To examine school children and children of pre-school age for physical defects that interfere with the physical and mental development of the child; notify the parents of the defects found and strive to induce the correction of remediable defects.
6. By aiding with all available resources the reduction of maternity and infancy mortality.
7. To examine for hookworm disease.
8. To maintain a local laboratory for assisting in the diagnosis of tuberculosis, malaria, diphtheria, typhoid fever, intestinal parasites and other diseases.
9. To make sanitary surveys and induce the necessary corrections in water supplies, and methods of excreta disposal, and supervise mosquito and fly control measures.
10. To emphasize on the public through various educational means, such as newspaper articles, pamphlets, bulletins, public lectures and addresses, the necessity of screened homes, safe methods of disposing of human excreta, pure water, good food and safe milk.
11. To emphasize the value of periodic examination for adults by demonstration and by all educational means, such as lectures, newspaper articles and pamphlets. These examinations are to be conducted by the family physician.

Provided, however, that only such services shall be rendered which are consistent with the personnel employed and the appropriation provided for the said county health department.

(4) Construction of section—authority of county health department.—This section shall be construed as giving to the county board of health and its legal representative, the county health department, all the rights, duties, powers and privileges that are necessary to properly carry out its function of safeguarding the health of the community, and especially all the rights, powers, privileges, liabilities and duties that belong and appertain to the local boards of health in incorporate cities, towns and villages: *provided, however,* that nothing contained herein shall be construed as interfering with or limiting the rights and duties, and privileges now devolved by law upon the state board of health and its legal representatives.

(5) Director to make reports.—The director of the county health department shall render a monthly, quarterly and annual statistical and narrative report to the county board of health and to the state board of health.

(6) Appropriation—disbursement.—The necessary appropriation shall be provided by members of the General Assembly to carry out the provisions of this section for the county board of health and county health department, and the said moneys so appropriated shall remain in the custody of the county authorities to be paid out upon properly prepared vouchers of the county health department. Said vouchers having been approved for payment by the county board of health: *provided,* that the county board of health and county health department are hereby prohibited from contracting for any services, or the expenditure of any funds in excess of the appropriation made by the General Assembly and prior to said appropriation by the General Assembly.

(7) Further duties of director.—The director of the county health department shall be secretary of the county board of health; he shall be the custodian of books, papers, instruments or appliances belonging to said board or that may be intrusted to his care; he shall summon the board to meetings and shall attend all meetings of the board unless otherwise ordered, and shall discharge the duties appertaining to the office of secretary.

(8) Reports required of certain public health workers in county.—All persons engaged in any phase of public health work or preventive medicine, whose compensation is paid wholly or in part by the county of Florence, shall render monthly, quarterly and annually statistical and narrative reports to the county board of health, and such reports shall be incorporated as part and parcel of the reports of the county health department.

1932 Code, § 5019; 1931 (37) 739.

§ 5056-6. Installation of septic tanks and plumbing, disposal of garbage and artificial containers, water supply, Pawley's Island and certain vicinity thereof, and marsh lands in Georgetown County—enforcement.—The provisions of this section shall apply to Pawley's Island and in the vicinity thereof which borders and touches the Atlantic Ocean and marsh lands in Georgetown County. All septic tanks must meet specifications for septic tanks and tile fields of the state board of health. No tile fields shall be so laid as to drain directly into creeks or ocean. All plumbing must be properly installed with proper vents, etc., necessary to insure proper operation of toilets to prevent excreta from overflowing on surface of ground. All garbage must be removed from premises every twenty-four (24) hours, and must not be deposited in creeks, rivers or ocean or on land between creeks or rivers and ocean nor on land a distance of one mile of the low water mark of creeks or rivers. Tin cans, bottles or other artificial containers that will hold water must be buried or removed from the island

resorts and beach resorts as provided above for garbage. Proper toilet facilities shall be installed in or near any building used or occupied as a residence or temporary abode, place of entertainment or amusement, and the sewerage (sewage) or discharge from such toilets shall be disposed of through septic tanks or other means or devise as approved by the state board of health. No raw human excreta or sewerage (sewage) shall be deposited or discharged into the ocean creeks or marsh lands where the tide ebbs and flows: *provided*, that septic tanks may be constructed of concrete, brick, cement or iron, or other durable materials. It shall be the duty of the state board of health to inspect all buildings covered by this subsection, and in the event of non-compliance by the owner of any such building, to give written notice by registered mail to such owner, requiring compliance within forty (40) working days of the receipt of such notice. The failure on the part of the owner to comply with the provisions of this subsection within forty (40) working day period shall constitute a misdemeanor, punishable as provided in subsection 2 hereof; and each day that such non-compliance shall continue after such forty (40) working day period shall constitute a separate offense.

All hotels, restaurants, boarding houses and inns must provide water for their guests, meeting the requirements of the state board of health for a safe drinking water.

The proprietor of a boarding house, hotel, restaurant, or store, the principal or superintendent of a school, the agent or station master of a railroad station or depot or the person in charge of an office building establishment or institution is charged with the duty of compliance with the provisions of this section in and upon property under his, her or its control.

The state board of health, or its duly appointed agents shall make full inspections and examinations with the end in view of carrying out the provisions of this section. It shall be the duty of the state board of health, or its duly accredited agents to prosecute any violation of this section. Notice shall be given in writing to the one in possession of property allowing ninety (90) days to replace all septic tanks and water supplied not meeting the requirements herein provided when this section goes into effect. After which a placard reading "unsanitary, unlawful to use" shall be placed over any toilet, the waste from which goes into a septic tank, not meeting the requirements of this section, over any water spigot, pump or any other water outlet containing water that does not meet the above requirements shall be placed a placard reading "this water unsafe for drinking purposes."

No person shall remove or deface any official notice placed as above provided.

All sewer connections, septic tanks or privy installations shall be made under permit from the health department. The hereinabove provisions are hereby declared to be separable and, should any portion thereof be adjudged to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of said provisions shall not be affected thereby. Any violation of the provisions of this section shall be punishable by a fine of not more than one hundred (\$100.00) dollars or by imprisonment for not more than thirty (30) days, in the discretion of the court.

1939 (41) 566; 1940 (41) 1900.

§ 5056-7. Greenville County health officer.

(1) **Appointment and salary.**—The executive committee of the state board of health shall appoint, upon the recommendation of the county delegation, a health officer for the county of Greenville, who shall continue in office during the pleasure of said delegation. Said officer shall

receive an annual salary of eighteen hundred (\$1,800.00) dollars, payable monthly, three hundred (\$300.00) dollars per annum for traveling expenses, and two hundred (\$200.00) dollars per annum for equipment and supplies; the items of such expenditures to be approved by the supervising auditor; the expenditures and salary to be paid out of the ordinary county funds.

(2) **Duties.**—It shall be the duty of the county health officer to inspect frequently the sanitary conditions throughout the county, and to inform the people by private and public communications as to the needs and means of promoting health and preventing disease, and to recommend and enforce that all premises, closets, hog pens, etc., be kept in sanitary condition, and use proper measures for the control and removal of epidemic of typhoid fever, meningitis, infantile paralysis, scarlet fever, smallpox and any and every other infectious or contagious disease. It shall be further his duty to discover, as far as practicable, every case of tuberculosis or other contagious or infectious disease in the county and endeavor to effect an isolation or segregation of such case or cases so as to prevent the spread of such disease, and whenever persons afflicted with such disease cannot provide themselves with necessary care for the prevention of the spread of such disease, it shall be the duty of the county health officer to endeavor to secure for such persons the care of the tuberculosis camp or of such other institution as may be available. It shall be the duty of the said county health officer to require and enforce certain sections to install a system of sanitary closets where the said county health officer, the county physician, and the secretary of the state board of health shall deem necessary. It shall further be the duty of the said county health officer to examine all children in the county under the age of twelve years, unless they have been examined by a physician, and to ascertain whether they have physical defects which may be remedied by treatment in every case where he discovers the need of treatment he shall communicate the fact to the parents, guardian or other custodian of such child. And it shall be unlawful for the county health officer to do any private practice or receive any fees or compensation only as prescribed by this section.

(3) **Penalties.**—Any person or persons not complying with the provisions of this section, shall be subject to a fine of not less than five (\$5.00) dollars and not more than ten (\$10.00) dollars, or be made to serve not less than five days and not more than fifteen days on county chaingang.

1932 Code, §§ 5020, 5021; Civ. C. '22, §§ 2328, 2331, 2332; Cr. C. '22, § 547; 1916 (29) 730; 1918 (30) 747.

Employment of county nurses, see § 445 (12).

§ 5056-8. License handle garbage, Greenville County.

(1) **Required.**—It shall be unlawful for any person, firm or corporation to move, collect, transport, or in any way handle garbage for hire in Greenville County, South Carolina, without first having obtained from the Greenville County health department a permit or license authorizing same.

Provided, however, that any person, firm or corporation may move or dispose of garbage that accumulates on his or its premises without obtaining such license.

(2) **Greenville County health department regulate collection, removal and disposal of garbage.**—The Greenville County health department is hereby authorized and empowered to regulate the collection, removal and disposal of all garbage within said county. All disposal plants, equipment, sites, etc., shall at all times be subject to the inspection, approval and regulation of the health department.

(3) Sites for disposal of garbage—license fees for vehicles handling garbage—incorporated municipalities exempt from statute.—The Greenville County health department is hereby authorized and empowered to rent, lease, buy, or otherwise acquire, subject to the approval of the Greenville County legislative delegation, suitable and adequate sites for the disposal of garbage accumulating within said county. Said health department is also authorized and empowered to charge a minimum license fee of \$1.00 per year to each truck, wagon, or other conveyance moving, collecting or transporting garbage in said county. Said conveyances shall be subject to inspection and approval of the health department, and, if at any time any such conveyance is found to be unsafe, inadequate, obsolete, or undesirable, the license of same may be revoked by the health department. *Provided, however,* that the terms and provisions of this section shall not apply to incorporated cities and towns within the said county.

(4) Penalties.—Any person, firm or corporation violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction of same shall be subject to a fine of not more than one hundred (\$100.00) dollars or imprisonment for not more than thirty (30) days. Each violation of this section shall not be considered as a continuing offense, but the violation of any provision hereof shall be a separate and distinct offense. (Section 5056-8 is clearly unconstitutional and should be ignored.)

1940 (41) 1766.

§ 5056-9. Venereal clinic, Greenville County.

(1) Operation.—There shall be provided, managed and operated a venereal clinic in Greenville County under the direction of the county health department, as herein set forth. It is made the duty of the county health physician to provide the citizens of Greenville County with advantages and facilities of a venereal clinic, and to that end he is empowered to make such agreements and employ such persons as in his judgment is necessary in keeping with the funds herein provided. He is also authorized and empowered to make such rules and regulations governing the conduct thereof and the expenditure of the funds herein provided as he may deem proper. He is authorized to require of any and all persons serving in the county health department to render such services in connection with the operation of the said clinic as in his judgment may be done without unduly interfering with the duties now cast upon them by law or under rules promulgated by the said department.

The said county health physician is also empowered to prescribe rules and conditions by which it shall be determined who are and who are not charity patients and he is authorized to require of all those who are able to pay, the payment of a reasonable charge for the services. All persons, however, who are not able to pay for the benefits, the purpose of which it is this section to provide, shall be treated without charge.

(2) Domestic servants—examination—treatment—employment.—Before any domestic servant shall be continued as such or employed as a domestic servant in any family, on and after January 1, 1940, such servant shall be provided with a certificate from the county health department of Greenville County, showing that he or she is either free from syphilis or under proper and adequate treatment for syphilis. It is also made unlawful for any employer of domestic help to engage or continue the services of any such, after January 1, 1940, unless such servant can show a certificate that he or she has been examined by the county health department of Greenville County and is either free from syphilis or under proper and adequate treatment for syphilis. Such certificate shall be valid for one (1)

year from the date thereof. Thereafter all such domestic employees shall annually submit to an examination and shall not be employed unless he or she can present a certificate, showing either freedom from any such disease or that he or she is under proper and adequate treatment for any such disease. *Provided, however,* that in lieu of a certificate by the county health department any such servant may obtain a certificate from any private physician, under such rules and regulations in respect thereto as may be prescribed by the county health physician.

The provisions of this section shall be liberally construed, the main purpose thereof being to afford as much security as may be to the health of the people of Greenville County and to curtail the spread of and to exterminate the said diseases.

1938 (40) 1809.

§ 5056-10. Owners of certain property connect with sewer lines and install necessary fixtures, Greenville County.—It shall be the duty of every owner of real estate adjoining any street or roadway within Greenville County, and upon which there is now, or may hereafter be, a building in which persons live, or are engaged at work, and which is now, or hereafter may be, provided with a sewer and water pipe, to make proper connections with such sewer within ninety days after May 14, 1937, or within ninety days after the said sewer and water lines have been installed, as the case may be and, in cases where the building is constructed after May 14, 1937, in ninety days after the completion thereof, and to install necessary fixtures in the way of closets, urinals or slop sinks to accommodate the number of people residing or employed on said premises. If any such owner shall fail or neglect to comply with the foregoing provisions within such time limit, it shall be the duty of the Greenville County health commission to give notice in writing to said owner that such connection must be made and necessary fixtures provided within thirty days from date of said notice. The commissioner of health shall also have the right to require such connections to be made and such fixtures provided where such real estate does not join, but is within three hundred (300) feet of some street or roadway. Any owner of such real estate who shall fail or neglect to make the aforesaid connections and installations within the time herein specified, shall, on conviction, be punished by a fine of not more than one hundred (\$100.00) dollars, or by imprisonment for not more than thirty days.

1937 (40) 536.

§ 5056-11. Not pollute water supply of Greenville. — It shall be unlawful for any person to trespass, defile, corrupt, or make impure any well, spring, drain, branch, brook, creek or other source of the public water supply of the city of Greenville by depositing human or animal excreta in any of the sources for such public water supply or on the water shed thereof; or shall camp, hunt, fish, wade, bathe, wash the person or any garment or other thing in said source or sources or upon any part of said water shed or sheds; or to deposit, or allow to remain the body of a dead bird or animal in said sources or on said water sheds, or to pasture any pigs or hogs on said water sheds. It shall also be unlawful for any person to injure or destroy any dam, pipe, conductor of water or other property pertaining to such water supply. Upon the city of Greenville or commissioners of public works of said city, posting in a conspicuous place at a point around the outer boundary lines of such source or water shed or sheds at intervals of approximately one-fourth of a mile, notices that hunting, fishing, camping, trespassing, injuring the plant in any manner or contaminating the

water shed in any manner is prohibited, shall be sufficient notice to all people. Any person violating this section shall upon conviction, for the first offense, be fined not exceeding twenty-five (\$25.00) dollars or not exceeding thirty days' imprisonment; for the second offense, one hundred (\$100.00) dollars or three months' imprisonment, either or both, and for the third or any subsequent offense, be imprisoned at hard labor for six months.

1932 Code, § 1449; 1930 (36) 1332.

§ 5056-13. Additional tax care for indigent patients at Camden hospital, Kershaw County.—To supplement the levy now provided for by law for assisting the Camden hospital in caring for the sick poor of said county, the auditor of Kershaw County is hereby authorized and directed to levy an additional annual tax of three-fourths ($\frac{3}{4}$) of one (1) mill on all of the taxable property of said county and the treasurer of said county is directed to collect the same and apply the proceeds to the aforesaid purpose.

1938 (40) 1545.

§ 5057. Newberry County board of health.

(1) **Authorized.**—Newberry County, South Carolina, shall have and maintain a county board of health, under the direction and control of the state board of health, as now provided by law, for the direction and control of local boards of health in incorporated cities, towns and villages.

(2) **Board — appointment — chairman.** — The said county board of health shall be composed of one member chosen by the Newberry County legislative delegation; one member chosen by the town council of Newberry; and one member selected by the two members so chosen by the county legislative delegation and the town council of the city of Newberry respectively. Immediately upon their election their names shall be certified to the state board of health, and the state board of health shall, in letter form, under the seal of the state board of health, give official recognition and proof of their election and commission as members of the said county board of health of Newberry County. That at the first meeting of the board one of their number shall be elected chairman.

(3) **Board—term—appointment—vacancy.**—The members of the county board of health, functioning as such are to serve for a term of two (2) years: *provided*, that if for any reason the members of the said county board of health are not elected and appointed, it shall be the duty of the state board of health to forthwith appoint such duly qualified residents of the county to serve on the said county board of health as may be necessary: *provided, further*, that in case of the death or resignation of any member of the county board of health prior to the expiration of the term of office for which such member has been elected, the successor shall be elected as herein provided for the election of members of the said board.

(4) **Duties and powers.**—The county board of health is hereby and herewith vested with all rights, powers, duties, privileges, and responsibilities that are now imposed by law upon local boards of health in incorporated cities, towns, and villages, and such other duties as are prescribed in this section: *provided, however*, that in carrying out all powers, duties, etc., herein prescribed, the said county board of health shall control and direct the activities of the county health department through the director of the county health department.

(5) **County health department—director.**—There shall be created and maintained a county health department. This health department shall function and be under the control and direction of the county board of

health. The said county health department shall be under the direction and supervision of a director who shall be a graduate of a regular reputable medical college, a physician skilled in hygiene and sanitary science, who shall be especially trained and qualified in the practice of preventive medicine. He shall be elected by the county board of health upon nomination of the state board of health. He shall hold office at the pleasure of the county board of health and until his successor is elected and qualified.

Such additional personnel shall be appointed and employed as is consistent with the needs of the county, who shall be appointed by the said director of the county health department, with and by the consent of the county board of health, only upon the written approval of the Newberry County legislative delegation. They shall hold office at the pleasure of the county board of health. All personnel employed shall meet the qualifications prescribed by the state board of health and the United States public health service.

The director of the county health department shall render reports to the county board of health and to the state board of health as maybe required.

(6) Duties and powers of department.—The duties of the county health department shall include the control of communicable diseases by all acceptable and approved methods, maternal and child hygiene pre-school and school hygiene, sanitation, including sanitation of all food vending establishments, dairies, abattoirs, and school sanitation, and all other duties and activities that are usually carried on by organizations of like authority, and such other duties as may be prescribed by the county board of health and/or the state board of health: *provided, however*, that only such services shall be rendered as are consistent with the personnel employed.

(7) Certain duties and powers of local boards in municipal corporations and villages devolved.—All the rights, duties, powers, privileges, and responsibilities that are now imposed by law upon local boards of health in incorporated cities, towns and villages of the said county of Newberry shall cease to be of force and effect, and all the incorporated cities, towns and villages of the said county of Newberry shall be under the control, direction and provisions of this section: *provided*, that the rights, powers, duties, privileges, etc., mentioned in this section shall only refer to such rights, powers, duties, privileges, etc., as appertain to the direction, control, and supervision of health and matters pertaining to health: *provided, further*, that this section does not relieve the said cities, towns and villages from any expense which may be incurred in correcting nuisances, maintaining water supplies and sewage disposal plants, and other recognized and approved activities for the prevention of disease and the promotion of health: *provided, however*, that if any city, town or village shall have a commission or board in charge of a water supply and sewage disposal plant, nothing in this section shall take away from such commission or board their rights, powers and duties.

(8) Salaries—expenses.—All salaries and expenses necessary to the maintenance, operation and upkeep of the Newberry County health department shall be fixed by the Newberry County legislative delegation each year in the appropriation act for Newberry County. Any personnel employed for exclusive service in any incorporated city, town or village of Newberry County shall be paid and the salary, or salaries, and expenses therefor, shall be fixed by the city, town or village receiving such services. Nothing in this section shall be construed to prevent the salaries of any employees of Newberry County health department from being supplemented by funds made available from any other source.

(9) **Secretary of board.**—The director of the county health department shall be secretary of the county board of health, and he shall be the custodian of books, papers, instruments, or appliances belonging to the said board, or that may be intrusted to his care; he shall summon the board to monthly meetings, and shall attend all meetings of the board, unless otherwise ordered, and shall discharge the duties appertaining to the office of secretary.

1938 (40) 1692.

§ 5057-2. License handle garbage, Richland County.

(1) **Required.**—It shall be unlawful for any person, firm, or corporation to move, collect, transport, or in any way handle garbage for hire in Richland County, South Carolina, without first having obtained from the Richland County health department a permit or license authorizing same; *provided, however*, that any person, firm or corporation may move or dispose of garbage that accumulates on his or its premises without obtaining such license.

(2) **Health department regulate collection, removal, and disposal of garbage, Richland County.**—The Richland County health department is hereby authorized and empowered to regulate the collection, removal and disposal of all garbage within said county. All disposal plants, equipment, sites, etc., shall at all times be subject to the inspection, approval and regulation of the health department.

(3) **Sites for garbage disposal—license fee for vehicles handling garbage—exemption.**—The Richland County health department is hereby authorized and empowered to rent, lease, buy, or otherwise acquire, subject to the approval of the Richland County legislative delegation, suitable and adequate sites for the disposal of garbage accumulating within the said county. Said health department is also authorized and empowered to charge a minimum license fee of one (\$1.00) dollar per year to each truck, wagon, or other conveyance moving, collecting or transporting garbage in said county. Said conveyance shall be subject to inspection and approval of the health department; and, if at any time such conveyance is found to be unsafe, inadequate, obsolete, or undesirable, the license of same may be revoked by the health department. *Provided, however*, that the terms and provisions of this section shall not apply to incorporated cities and towns within the said county.

(4) **Penalties.**—Any person, firm or corporation violating any provisions of this section shall be deemed guilty of a misdemeanor and upon conviction of same shall be subject to a fine of not more than one hundred (\$100.00) dollars or imprisonment for not more than thirty (30) days. Each violation of this section shall not be considered as a continuing offense, but the violation of any provision hereof shall be a separate and distinct offense. (Section 5057-2 is clearly unconstitutional and should be ignored.)

1942 (42) 1436.

§ 5057-3. Spartanburg County board of health.

(1) **Creation.**—There shall be a county health board of Spartanburg County, which shall consist of five members, three of whom shall come from the county at large, and shall be commissioned by the Governor for a period of two years upon recommendation of a majority of the legislative delegation from Spartanburg County in the General Assembly. The county superintendent of education and one member of the county board of Spartanburg County shall be ex officio members. They shall serve without pay.

(2) **County health officer.**—The county health board shall employ a county health officer for Spartanburg County who shall serve in such

capacity so long as his services are satisfactory, and who shall be subject to removal for cause by the health board at any time. No person shall be appointed to fill this office unless he shall be a graduate of a reputable medical college and otherwise qualified to carry on public health work. He shall receive an annual salary of thirty-six hundred (\$3,600.00) dollars a year, payable monthly.

(3) **Sanitary inspector—nurses.**—The county health officer shall employ with the approval of the county health board, a sanitary inspector and county health nurses, who shall work under his direction and supervision and may be removed by him for cause. The salaries of the sanitary inspector and said nurses shall be named by the county health officer and county health board.

(4) **Duties of health officer and subordinates.**—The county health officer, the sanitary inspector and the public health nurses herein provided shall have jurisdiction in the county of Spartanburg, outside of city of Spartanburg, and shall inspect frequently the sanitary conditions throughout the county, and give information by bulletins, and provide communications as to the need of promoting health and preventing disease. They shall discuss as far as practicable all causes of diseases, and when any disease is contagious or infectious they shall, where practicable, effect an isolation or quarantine of such cases so as to prevent the spread of disease. They shall be charged with the duties of enforcing all health or sanitary laws of the State and regulation of the state board of health. The members of this organization shall, in so far as possible, confine their activities to the practice of preventative medicine.

(5) **Equipment—expenses.**—The county board shall furnish said county health officer, the sanitary inspector and any of the nurses needing same an automobile and shall pay the necessary running expenses, including gasoline, oil and repairs on same. Each of the said automobiles shall be plainly marked on each side, "County Health Department," and shall not be used except on business.

(6) **Physicians to report contagious diseases.**—Any physician attending any patient in the county of Spartanburg, outside the city of Spartanburg, who has a contagious or infectious disease shall within twenty-four hours after diagnosing such disease report to the county health officer the name and residence of such person and nature of the disease.

(7) **Violation of regulations a misdemeanor—penalty.**—Any person violating any of the regulations of the state board of health after he or she shall have been notified thereof in writing by either the county health officer, a sanitary inspector or the county health nurse, shall be guilty of a misdemeanor and on conviction shall be imprisoned not less than three days or more than ten days or pay a fine of not less than \$5.00 or more than \$25.00. Each day that any such regulation is not obeyed after one notice shall constitute a separate offense. Notice by registered mail shall be sufficient hereunder. The penalty provided herein shall be in addition to all other remedies and penalties now provided by law.

(8) **Stationery and printing.**—The county board shall furnish the county health officer with such books, stationery and postage as may be necessary for his office and in addition shall pay the cost of printing such bulletins; the county health officer to contract for the printing of such bulletins as may be necessary and to certify the bill as correct to the county board, who shall draw their warrant upon the county treasurer in payment thereof.

(9) **Appropriation.**—An appropriation from the funds of Spartanburg County shall be made to adequately carry on the work outlined herein:

provided, that the sum of money appropriated for this purpose shall not be exceeded.

1932 Code, § 5022; 1928 (35) 2018.

§ 5057-4. Free venereal clinic, Spartanburg County.—There shall be maintained a free venereal disease clinic at the city hall in the city of Spartanburg, under the supervision of the United States public health service and the state board of health of South Carolina, for the treatment of all persons infected with venereal diseases, who are residents of Spartanburg County and are unable to pay for such treatment. To provide the funds to carry out the purposes of this section an annual authorization of not exceeding five thousand (\$5,000.00) dollars is hereby authorized. One-half of the annual authorization to be turned over to the said clinic for the maintenance of the clinic on each July 1 and each January 1.

1932 Code, § 4781; 1931 (37) 1005.

No. 23

SEPTIC TANKS

Section 1. A septic tank is recommended as a means of sewage treatment for a residence, place of business, camp, school, or institution where public sewers are inaccessible, impracticable, or non-existent, provided the septic tank will accomplish adequate and satisfactory treatment of the sewage. A septic tank shall not be installed in case connection to a public sewerage system is practicable.

Section 2. No septic tank shall be installed which has a net liquid capacity of less than five hundred (500) gallons.

Section 3. The plans for each septic tank shall be in accordance with approved engineering standards in general and the following standards in particular: the length shall be at least two (2) but not more than three (3) times the width; the uniform liquid depth shall be not less than four (4) feet; and the theoretical detention period shall be not less than twenty-four (24) hours based on the average daily flow.

Section 4. The plans for each septic tank having a capacity of one thousand (1,000) gallons or more shall have the approval of the state health officer before the tank is installed. Each such tank shall have a second or effluent compartment not longer than one-third the total length of the tank nor shorter than three (3) feet, and shall be equipped with a dosing chamber and siphon if a tile field or filter is used for secondary treatment of the tank effluent.

Section 5. Each septic tank shall be installed so as to receive approval of the state board of health through a duly authorized agent.

Section 6. A grease trap shall be installed on the kitchen waste line preceding the septic tank in each case where the tank serves a boarding house, cafe, restaurant, hotel, or other public eating place. The grease trap shall have a theoretical detention period of at least thirty (30) minutes.

Section 7. No septic tank effluent shall be discharged into any stream without special approval of the state board of health through a duly authorized agent.

No. 24. SEWER SYSTEMS AND SEWAGE TREATMENT PLANTS

Section 1. No sewage shall be placed or discharged to flow into any waters or upon the lands of the State in any manner determined by the board to be prejudicially affecting a public water supply or causing a nuisance.

Section 2. No municipality, corporation, company, institution, person or persons shall install or enter into contract for installing, making any additions, changes or alterations in a sewer system or sewage treatment plants until complete plans and specifications fully describing such sewage works have been submitted to and have the written approval of the state board of health.

Section 3. Upon application accompanied by an outline of any proposed sewer system or sewage treatment plant, or any changes in existing sewage works, the general requirements which will meet the approval of the board will be outlined. Preliminary or incomplete plans may be submitted for approval and recommendations, if accompanied by a statement outlining omitted portions, detailed plans for which shall be submitted for final approval.

Section 4. All plans shall be submitted in duplicate, one copy to be retained on file by the board and one returned to the owner. Plans shall be approved as to structural, mechanical and electrical features by licensed engineers before being submitted for approval by the board and shall include:

- (a) General plans
- (b) Detailed plans
- (c) Specifications
- (d) Engineer's report

Section 5. The engineer's report for sewage work shall cover:

(a) **Sewage flow**--State the present and estimated population for municipalities twenty-five years hence, and for both present and future needs.

(b) **Industrial waste**--Give character of industrial waste.

(c) **Type of purification**--Give reason for adopting the proposed method

(d) **Soil**--Probable character of soil through which sewers will be laid and portion of the system that will be below normal ground water level.

(e) **Outfall**--Describe the stream or body into which the final effluent is to be discharged. If stream, give width, depth and estimate minimum flow; state for what it is used below the outlet and whether there are any special features, such as a dam, that will effect the flow. If a lake, give approximate area, also depth in vicinity of the outfall.

Section 6. In general, in the design and construction of sewage work, approved modern practice shall be followed and a licensed engineer shall supervise all construction.

Section 7. Plans for sewage treatment plants will be approved only when the following rates of operations are not exceeded, except where special conditions exist, when the board may permit higher rates.

Section 8. Imhoff tanks.

(a) Settling chamber $1\frac{1}{2}$ to $2\frac{1}{2}$ hours retention.

(b) Sludge digestion chamber, capacity one to two (1 to 2) cubic feet per capita computed below a horizontal plan eighteen (18) inches below slot. Sand filters—1,000 persons per acre of area with minimum depth of three (3) feet above the drains.

Contact beds--1,000 persons per acre of area per foot of depth with minimum depth of 4 feet.

Trickling filters--3,000 persons per acre of area per foot of depth with minimum depth of 5 feet.

The effective size of sand for filters should not be less than 0.2 millimeter nor more than 0.4 millimeter. Contact beds shall consist of stone not less than one-half inch nor more than 2 inches, and for trickling filters the sizes shall be three-quarters of an inch to two and one-half inches.

The discharge of sludge or screening into a stream or watercourse will not be permitted.

Section 9. On the completion of any sewage treatment plant or sewer system the state board of health shall be notified when the final inspection is to be made.

No. 25. WATER SUPPLY AND WATER PURIFICATION PLANTS

Section 1. No water furnished to the public for domestic use shall contain bacteriological, biological, chemical or physical impurities which shall injuriously affect or tend to affect public health. The source, treatment, distribution and quality of the water shall be satisfactory to the State Board of Health according to sanitary surveys and laboratory examinations.

Section 2. No municipality, district, corporation, company, institution, person or persons shall install or enter into contract for installing, or making any additions, changes or alterations in a water supply, water purification plant, until complete plans and specifications fully describing such work have been submitted to and received the written approval of the State Board of Health, and thereafter such plans and specifications must be substantially adhered to unless deviations are submitted to and receive the written approval of the State Board of Health.

Section 3. Upon application, accompanied by an outline of any proposed water supply, water purification plant, or proposed improvements or extensions, the general requirements which will meet the approval, will be outlined. Preliminary or incomplete plans may be submitted for approval and recommendations, if accompanied by a statement outlining omitted portions; detail plans for which shall be submitted for final approval.

Section 4. All plans shall be submitted in duplicate, one copy to be retained on file by the board and one returned to the owner. Plans shall be approved as to

structural, mechanical and electrical features by licensed engineers before being submitted for approval by the Board, and shall include:

- (a) General plans.
- (b) Detailed plans.
- (c) Specifications.
- (d) Engineers report.
- (e) All wells, intakes or other sources of supply.
- (f) The purification plant.
- (g) All mains with their sizes.
- (h) All shut-off valves, hydrants.
- (i) Storage or distribution reservoirs.
- (j) Small scale map of water shed.

Section 5. Detailed plans for waterworks shall show:

- (a) Details regarding intake pipe, crib, screens, etc., if water is taken from a stream or lake.
- (b) If ground water supply, details of the well or spring, the manner of protecting the surface from surface wash or other pollution. A sketch showing all possible sources of pollution within 500 feet, and the direction of the ground water flow.
- (c) Complete details of the purification plant, including sedimentation and settling chambers, collecting and piping system, methods of applying various chemicals, filters, including depth, size and uniformity of various strata, washing arrangements, pumps, special devices, etc.
- (d) Details of the pumping station and equipment.
- (e) Any special appurtenances or fixtures in connection with the distribution system.
- (f) Details of elevated tanks, stand pipes or reservoirs used for storage of water.

Section 6. The engineer's report for waterworks shall cover:

- (a) State the present and estimated population twenty-five years hence for municipalities, for institutions, the present and ultimate capacity. Any special conditions that might affect the growth of the municipality or institutions, also any industrial activities that may affect the requirements of the water supply should be discussed. Give estimate of the daily total and per capita consumption, both for the present and future population.
- (b) The source of supply. Results of chemical and bacteriological analyses. If surface supply, the area, population, and a description of the tributary watershed shall be given. All possible sources of pollution, topographical and geographical features of the watershed, and other conditions that might in any way affect the quality and quantity of the supply shall be discussed in detail.
- (c) Purification--State reason for adopting the method of purification outlined, specifying any experimental work done. Describe any special appliances.
- (d) Pumping Equipment--The number, type, size and capacity of the various sizes of pipe and describe any special features.
- (e) Distribution System--State the class, width and amount of the various sizes of pipe and describe any special features.
- (f) Storage--Give amount and location of the storage available, both before and after purification, together with details regarding its effect upon the quality of the water.
- (g) Fire Protection--Discuss adequacy of fire protection with regard to pressure and capacity.

Section 7. In general, in the design and construction of waterworks, approved modern practice shall be followed and a licensed engineer shall supervise all construction.

Section 8. For waterworks systems there shall be provided a suitable intake properly screened for surface supplies. Wells and springs shall be adequately protected from all surface wash. Ground water sources shall be so located that there will be no danger of pollution from unsanitary surroundings, such as cesspools, privies, sewers, etc.

Section 9. The pumping equipment shall be divided into two or more units, except where ample storage is available to permit the necessary repairs without interrupting service.

Section 10. Some modern method of purification, applicable to the needs of the municipality or institution, and adaptable to the water to be treated, shall be provided in connection with all surface supplies. Purification plants shall be divided into a sufficient number of units to allow for necessary repairs and alterations without interrupting the services or impairing the quality of the water delivered.

Section 11. Ground supplies--Some method shall be provided for the treatment of all ground waters found to be corrosive or contain chemical or minerals which will make this water objectionable for general use.

Section 12. Sterilization--Before being placed into service, all new water distribution systems, or extensions to existing systems, or any valved section of such exten-

sion or any replacement in the existing water distribution system shall be sterilized. The following procedure or its alternatives shall be followed:

Par. 1. Preliminary flushing: (Not applicable to procedure of Par. 16, 17, 18 and 19.) Prior to sterilization, all dirt remaining in pipe after its completion shall be removed by a thorough flushing through the hydrants. This may be done either before or after the trench shall have been back-filled and after the pressure test. Each valved section of newly laid pipe shall be flushed independently.

Par. 2. Liquid chlorine: A chlorine gas-water mixture shall be applied by means of a solution feed chlorinating device, or the gas may be fed directly from a chlorine cylinder equipped with proper devices for regulating the rate of flow and the effective diffusion of gas within the pipe. (Chlorination with the gas-water mixture is preferred to direct feed.)

Par. 3. Point of application: The preferable point of application of the sterilization agent shall be at the beginning of the pipe line extension, or any valved section of it, and through a corporation cock inserted in the horizontal axis of the newly laid pipe. The water injector for delivering the gas-water mixture into the pipe shall be supplied from a tap on the pressure side of the gate valve controlling the flow into the pipe line extension.

Par. 4. Rate of application: Water from the existing distribution system or any completed extension of it, entering the newly laid pipe line shall be controlled to flow slowly during the application of chlorine. The rate of chlorine gas-water mixture flow shall be in such proportion to the rate of water flowing through the pipe that the treated water entering the newly laid pipe shall have a concentration of residual chlorine of from 40 to 50 parts per million.

Par. 5. Back pressure in the pipe being treated shall be prevented.

Par. 6. Retention period: Treated water shall be retained in the pipe long enough to destroy all non-sporeforming bacteria. This period shall be at least three hours and preferably longer as may be directed. After the chlorine treated water has been retained for the required time, the chlorine residual at representative points shall be at least 5 parts per million.

Par. 7. In the process of sterilization newly laid water pipe involving more than one valved section, all valves or other appurtenances shall be operated while the pipe line is filled with the sterilization agent.

Par. 8. Final flushing and test: Following sterilization, all treated water shall be thoroughly flushed from the newly laid pipe line at its extremities until the water through its length shall, upon test, both chemically and bacteriologically be proven equal to the water quality served the public from the existing water supply system.

Par. 9. Should the initial treatment prove ineffective, the sterilization procedure shall be repeated until confirmed tests show that water sampled from newly laid pipe line conforms to the requirements of Par. 8.

Par. 10. Calcium hypochlorite or chlorinated lime in water: A mixture of either calcium hypochlorite or chlorinated lime and water may be substituted as an alternative for liquid chlorine.

Par. 11. Calcium hypochlorite shall contain not less than 70 per cent available chlorine, comparable to commercial products known as "HTH", "Perchloron", and "Maxochlor".

Par. 12. Chlorinated lime, frequently called chloride of lime and known to industry as bleaching powder, shall contain not less than 24 per cent available chlorine.

Par. 13. Proportions of calcium hypochlorite or chlorinated lime and water mixture: A 5 per cent solution shall be prepared, consisting of 5 per cent of either powder to 95 per cent of water by weight.

Par. 14. Application: This calcium hypochlorite or chlorinated lime and water mixture, first made into a paste and then thinned to a slurry, shall be injected or pumped into the newly laid pipe under conditions heretofore specified for liquid chlorine application, (Par. 2 and 7) after preliminary flushing. (Par. 1).

Par. 15. Provisions for final flushing, testing and approval under this alternative shall be similar to those described in Pars. 8 and 9.

Par. 16. Dry calcium hypochlorite or chlorinated lime: Dry calcium hypochlorite or chlorinated lime of the same chlorine content as that specified in Pars. 11 and 12 may be employed as an alternative procedure wherever facilities are not available for sterilization in the manner heretofore specified.

Par. 17. The dosage of calcium hypochlorite powder containing 70 per cent available chlorine shall be one pound for each 1,500 gallons of water pipe capacity treated; chlorine yielding compounds other than calcium hypochlorite powder may be used in amounts proportional to their available chlorine content. This dosage is equivalent to a treatment of 50 parts per million available chlorine; in like manner, one pound of calcium hypochlorite powder will treat 1,860 gallons of water to 40 parts per million available chlorine.

Par. 18. Points of application: A predetermined dose shall be shaken into the pipe, or deposited in a soluble container secured at the first joint attached to the existing water pipe, and the dosage shall be repeated at intervals not greater than 100 feet, and preferably at lesser intervals, as the pipe laying progresses, as may be directed by the engineer.

Par. 19. When treated with dry calcium hypochlorite, or with dry chlorinated lime, the new pipe shall be filled very slowly to avoid washing the powder to the extremity of the pipe line.

Par. 20. The period of retention, valve manipulation and final flushing and testing shall be according to the requirements of Pars. 6, 7, 8, and 9 respectively.

Par. 21. In the event that the test proves unsatisfactory, sterilization shall be repeated by employing acceptable alternative procedures until a satisfactory condition of the water within the pipe is established.

Par. 22. Cuts made in existing pipe lines for the insertion of valves, fittings, repairs, or for any purpose shall be sterilized by shaking a quantity of the powder, pre-determined by the engineer, into the pipe on each side of the out-in. After slowly filling the section and reversing the flow the chlorinated water shall be retained for several hours, then flushed until no odor of chlorine can be detected in the waste water, or preferably until a check shall have been made for residual chlorine as provided in Par. 6.

Par. 23. After satisfactory sterilization by any of these alternative procedures the consumers may be served from the newly laid pipe line, or the service may be resumed on existing pipe lines.

Section 13. Auxiliary intakes, by-passes or cross-connections whereby polluted water may be pumped or allowed to flow into the distribution system is prohibited.

(a) An existing cross-connection may be continued on condition that monthly inspections are made and the results reported to the board. The board, however, reserves the right to require the elimination of any cross-connection if inspections are not made or if the connection is found faulty. These inspections shall be made by the city water department or the water company, who has charge of the water supply for furnishing water to the city or town.

(b) New cross-connections are prohibited.

Section 14. On the completion of any new water purification plant, or water supply distribution system the state board of health shall be notified when the final inspection is to be made.

ARTICLE 1-A

Bedding

5057-11. Definitions.

5057-12. Liability of principals and agents.

5057-13. Material not use in bedding—"shoddy" defined.

5057-14. Not sell bedding used by or about person having infectious or contagious disease.

5017-15. Sterilize and disinfect material use remake or renovate bedding—sale of used bedding.

5057-16. Label or tag bedding for sale—exemptions — bedding fund —

duties and powers of state board of health.

5057-17. Defacement or alteration of label or tag on bedding.

5050-18. State board of health supervise and inspect manufacture and sale of bedding — prosecute violations.

5057-19. Powers of officers inspecting bedding.

5057-20. Enforcement.

5057-21. Penalties.

5057-22. Exemptions.

§ 5057-11. Definitions.—The term "bedding" as used in this article shall be construed to mean any mattress, upholstered spring, comforter, pad, cushion or pillow designed and made for use in sleeping or reclining, except where the filling thereof consists exclusively of sterilized feathers. The word "person" as used in this article shall be construed to import the plural and the singular, as the case demands, and shall include individuals, corporations, partnerships, jointstock companies, societies and associations.

1941 (42) 318.

Rules and regulations pertaining to the sterilization of bedding and the purchase of labels in accordance with the provisions of the South Carolina Bedding Law—see Rules and Regulations of the state board of health under § 5002.

§ 5057-12. Liability of principals and agents.—When constructing and enforcing the provisions of this article, the act, omission, or failure of any officer, agent, or other person acting for or employed by any individual, corporation, partnership, joint-stock company, society, or association, within the scope of his employment or office, shall in every case be also deemed the act, omission or failure of such individual, corporation, partnership, joint-stock company, society, or association as well as that of the person.

1941 (42) 318.

§ 5057-13. Material not use in bedding — "shoddy" defined.—No person shall, in the making or remaking of any article of bedding as herein defined, for sale within the State of South Carolina use any material of any kind that has been used by or about any person having an infectious or contagious disease or has formed a part of any article of bedding which has been so used, or use in said manufacture any material known as "shoddy" and consisting in whole or part of old or worn clothing, carpets, or other fabric or material previously used, or use in said manufacture any other fabrics or material from which shoddy is constructed. The word "shoddy" shall mean any material which has been spun into yarn knit or woven into fabric and subsequently cut up, torn up, broken up, or ground up.

1941 (42) 318.

§ 5057-14. Not sell bedding used by or about person having infectious or contagious disease.—No person shall sell, offer for sale, deliver, or consign for sale, or have in his possession with intent to sell, deliver, or consign for sale, any article of bedding that has been used by or about any person having an infectious or contagious disease.

1941 (42) 318.

§ 5057-15. Sterilize and disinfect material use remake or renovate bedding—sale of used bedding.—No person shall remake or renovate any article of bedding unless all the material to be used in said remade or renovated bedding shall first be thoroughly sterilized and disinfected by a process approved by the state board of health. No person shall sell, offer for sale, deliver, consign for sale, or have in his possession with intent to sell, deliver, or consign for sale, any article of bedding which has been previously used, unless the said article of bedding shall first be thoroughly sterilized and disinfected by a process approved by the state board of health.

1941 (42) 318.

§ 5057-16. Label or tag bedding for sale — exemptions — bedding fund — duties and powers of state board of health.—No person shall sell, offer for sale, consign for sale, or have in his possession with intent to sell, offer for sale, or consign for sale any article of bedding as herein designated, unless the same be labeled or tagged as follows: upon each of such articles of bedding there shall be securely sewed upon the outside thereof a muslin or linen label to be procured from the state board of health as hereinafter provided upon which shall be legibly written or printed, in the English language, a description of the material used as the filling of such article of bedding; if any and all the material used as the filling of such article of bedding shall not have been previously used, the words "Manufactured of new material" shall appear upon said tag, together with the name and address of the maker or vender thereof.

It shall be unlawful to use in the said statement concerning any mattress the word "felt" or words of like import, if there has been used in filling said mattress any materials which are not felted and filled in layers.

If any of the material used in the making or remaking of such article of bedding shall have been previously used, (and when sterilized in conformity with section 5057-15) the words "Manufactured of previously used material" or "Remade of previously used material," as the case may be, shall appear upon said tag or label, together with the name and address of the maker or vender thereof, and also a description of the material used in the filling of such article of bedding. The tag or label required under this section shall contain a replica of the seal of South Carolina printed thereon and shall be in the following form:

"OFFICIAL STATEMENT
Manufacture of New Material

Materials used in filling.....
Made by
Vender
Address

The statement of compliance required in the foregoing "official statement" shall not be construed to imply that it is prohibited to state, also, that the article of bedding is made in compliance with an act or acts of other states.

The words "Manufactured of new material", or "Manufactured of previously used material", or "Remade of previously used material", together with the description of the material used as the filling of an article of bedding, shall be in letters not less than one-eighth (1/8) of an inch in height.

In the case of all articles of bedding, the sewing of any edge of the tag securely into an outside seam of the article shall be deemed a compliance with that portion of the act requiring that the tag be "securely sewed" upon the article.

No term of description likely to mislead shall be used on any tag or label required by this article in the description of the materials used in the filling of any article of bedding. This article shall not be construed to prevent a person from making or having made any bedding out of materials furnished by said person for his or her own use, or to any person who does not make over six mattresses per week, provided said label is attached. The state board of health is hereby authorized and directed to contract for the printing of tags or labels required by this section and shall, upon the application of any person, firm or corporation, furnish the said tags or labels fashioned and formed in accordance with the provisions hereof in lots not less than one thousand (1,000) at a cost of twenty (\$20.00) dollars per thousand to such person, firm or corporation. The said fees or charges for said tags shall be paid directly to the state board of health and when so collected shall constitute a separate fund, known as the bedding fund, and shall be expended and used solely by the board of health in carrying out the provisions of this article, and such moneys and funds collected by the state board of health are hereby specifically appropriated to the use of said board of health for the purposes herein enumerated, and the said state board of health is specifically charged with the enforcement of this article in the interest of the health of the people of the State. State insti-

tutions engaged in manufacture of bedding shall not be required to pay a fee for the tags. All moneys collected under the provisions of this article shall be paid into the general fund of the State.

1941 (42) 318.

§ 5057-17. Defacement or alteration of label or tag on bedding.—Any person other than a purchaser for his own use who shall remove, deface, alter, or shall cause to be removed, defaced, or altered any label or tag upon any article of bedding so labeled or tagged under the provisions of this article shall be guilty of a violation thereof.

1941 (42) 318.

§ 5057-18. State board of health supervise and inspect manufacture and sale of bedding—prosecute violations.—Every place where articles of bedding are made, remade, or renovated, or held for sale, consignment, or delivery, shall be subject to supervision and inspection by the state board of health, whose duty it shall be to supervise and inspect the manufacture and sale of articles of bedding as defined in this article. Should said board of health find articles of bedding being made, remade, or renovated, or held for sale, consignment, or delivery, in other than sanitary conditions, then said state board of health shall give the person responsible for this unsanitary condition a definite length of time within the discretion of said board of health, said time, however, not to exceed sixty days, in which to remedy the said unsanitary condition or conditions, and in the event of failure to do so on the part of the person responsible therefor, the said failure shall become a violation of this article. Said state board of health shall have the power to prosecute all violations of this article. Should said state board of health have reason to believe that any person is violating or has violated any provisions of this article, it shall be the duty of said state board of health to prosecute such person therefor.

1941 (42) 318.

§ 5057-19. Powers of officers inspecting bedding.—If and when any officer of the state board of health has reason to believe that any article of bedding sold, offered for sale, delivered, consigned, or possessed with intent to sell, offer for sale, deliver, or consign, is not correctly labeled as to contents the said officer shall be empowered to open such article of bedding to examine the material used in filling the same; and if said officer after examination of the material used as filling is unable to determine definitely whether the material used as filling is new or has been previously used, or whether the material used in filling such article of bedding is of the kind it is stated to be on the label, or in the case of feather pillows, whether the feathers used in filling same have been sterilized or not, the said officer shall have power to examine the purchase invoice or invoices of such material and such other records of the business as are necessary to determine definitely the kind and character of the material used in such articles of bedding.

1941 (42) 318.

§ 5057-20. Enforcement.—Any person who has reason to believe that this article has been or is being violated may present the facts to the sheriff of said county wherein such violation occurs, and it shall thereupon be the duty of said sheriff to investigate the said violation and to institute a prosecution if he finds reasonable cause to believe that there has been such violation. Any individual may institute proceedings to enforce this

article and punish any violation thereof in the county where such violation occurs.

1941 (42) 318.

§ 5057-21. Penalties.—Any person who shall fail to comply with any of the provisions of this article shall be guilty of a violation thereof. The unit for separate and distinct offense in violation of this article shall be each and every article of bedding made, remade, sold, offered for sale, delivered, consigned, or possessed with an intent to sell, offer for sale, deliver or consign, contrary to the provisions hereof.

Any person who violates any provision of this article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one hundred (\$100.00) dollars or imprisoned for not more than thirty (30) days.

1941 (42) 318.

§ 5057-22. Exemptions.—The provisions of this article shall not apply in cases where a mattress or mattresses are being remodeled or renovated by or for the owner.

1941 (42) 318.

BEDDING

The sterilization of bedding and bedding materials shall be in accordance with one of the following methods:

1. The Dry Heat Method: Loose materials or bedding shall be subjected to dry heat at a temperature of 230 degrees F. and maintained at that temperature for sixty (60) minutes. Dry heat sterilization apparatus shall be equipped with a suitable temperature indicator and with such control devices as will provide an adequate control of the temperature to be maintained.

2. The Steam Method: Loose materials or bedding shall be subjected to direct steam under a pressure of 15 pounds per square inch and maintained at that pressure for thirty (30) minutes. A gauge for registering the steam pressure inside the sterilizer, and visible from the outside of the sterilizer, shall be provided where steam sterilization is employed.

Bedding to be sterilized shall be stood on end with a space of not less than six (6) inches between, or shall be suspended by means of suitable hangers with space of not less than six (6) inches between bedding, or between bedding and floors, ceilings, or side walls. Shelving for loose bedding materials shall be of lattice or other open construction.

The South Carolina State Board of Health will sell labels in lots of not less than one thousand (1,000) at a cost of twenty (\$20.00) dollars per thousand. The white label will be used on bedding, as defined in the Act, that is manufactured of new material. The yellow label will be used on bedding, as defined in the Act, that is manufactured or remade of previously used material.

When purchasing or ordering labels, use cash, postal money order, or certified check. Personal checks will not be accepted. Make postal money orders and certified checks payable to the South Carolina State Board of Health, Columbia, South Carolina. When you order labels, state the type desired.

Do not forget to write or print on the label a description of the material used in the filling.

All communications relative to the administration and enforcement of this Act should be addressed to the Division of Industrial Health, South Carolina State Board of Health, Columbia, S. C.

ARTICLE 2

Quarantine of Vessels

- 5058. Administration of quarantine at Charleston.
- 5059. Port of Georgetown.
- 5060. Port of Beaufort.
- 5061 and 5062. Hospital and health officer at Charleston.
- 5063. Anchorage grounds.
- 5064 thru 5067. Vessels subject to quarantine.
- 5068. Vessels bound north.
- 5069. Delivery of permit to office.
- 5070. Returning to sea.
- 5071 thru 5073. Duty of pilots.
- 5074 thru 5076. Duties and powers of quarantine officer.
- 5077. Distinguishing vessels by colors.
- 5078. Passing through range of quarantine vessels.
- 5079. Unloading quarantine vessels.
- 5080. Passengers of quarantine vessels.
- 5081. Criminal passengers.
- 5082 and 5083. Appeal from decision of quarantine officer.
- 5084. Health officer.
- 5085 and 5086. Sanitary inspectors.
- 5087. Appropriation for expenses.
- 5088 and 5089. Proclamation of Governor.
- 5090. Vessels from infected places.
- 5091 and 5092. Quarantine officers.
- 5093 and 5094. Enforcement of quarantine laws.
- 5095. Harbor commission at Charleston.
- 5096. Quarantine charges.

§ 5058. Port of Charleston, administration of quarantine—quarantine officer—appointment—term—salary.—The administration of quarantine of the port of Charleston shall be in charge of the board of health of the city of Charleston, subject to the advice and supervision of the executive committee of the state board of health, and they shall have full power and authority to make such rules and regulations for the institution and enforcement of quarantine as they may deem expedient and as may be conformable to law.

The quarantine officer of the port of Charleston shall be appointed by the Governor on the nomination of the board of health of the city of Charleston, and shall be vested with all the powers and authority heretofore by law conferred upon the health officer of the port of Charleston, and shall exercise the same under the direction and control of the said board of health of the city of Charleston. He shall receive a salary from said board at the rate of eighteen hundred dollars per annum, and he shall reside at the quarantine station. He shall be appointed during the month of January, and hold his office for two years, and until his successor shall be appointed, unless sooner removed by the Governor, at the request of the board of health of the city of Charleston, or for other reasons satisfactory to him.

For the purpose of carrying out the provisions of this article with regard to the port of Charleston, the sum of two thousand five hundred dollars shall be annually appropriated, to be paid by the state treasurer, on the order of the chairman of the board of health of Charleston.

1932 Code, § 5058; Civ. C. '22, § 2493; Civ. C. '12, § 1659; Civ. C. '02, § 1135; G. S. 997; R. S. 977; 1881 (17) 597; 1884 (18) 691.

§ 5059. Supervision and control of port of Georgetown—quarantine officer—appointment—term—salary.—The port of Georgetown shall remain under the supervision and control of the executive committee of the state board of health, and a quarantine officer shall be appointed for the said port who shall be vested with the power and authority heretofore by law conferred upon the health officer, and shall exercise the same under the direction and control of the executive committee of the state board of health, or such local board as the said executive committee may appoint for that purpose. He shall return to the said executive committee, or to the said local board, all fees collected by him, and shall receive for his

services annually five hundred dollars, and one hundred and fifty dollars for boat hire.

1932 Code, § 5059; Civ. C. '22, § 2494; Civ. C. '12, § 1660; Civ. C. '02, § 1136; G. S. 977; R. S. 993; 1881 (27) 597; 1884 (18) 691.

§ 5060. Administration of quarantine at port of Beaufort.—The administration of the quarantine of the port of Beaufort, embracing St. Helena entrance and Port Royal, shall be in charge of the township board of health of Beaufort township, subject to the advice and supervision of the executive committee of the state board of health; and they shall have full power and authority to make such rules and regulations for the institution and enforcement of quarantine as they may deem expedient and as may be conformable to law. The quarantine officers of the port of Beaufort, St. Helena and Port Royal shall be appointed by the Governor on the nomination of the township board of health of Beaufort township. They shall be invested with all powers and authority heretofore by law conferred upon the health officers of St. Helena and Port Royal, and they shall exercise such powers and authority under the direction and control of the said township board of health of Beaufort township. They shall each receive a salary from said board at the rate of eight hundred dollars per annum, and the officer at St. Helena entrance one hundred and fifty dollars for boat hire, and the officer at Port Royal three hundred dollars for boat hire, and each shall reside at the quarantine station for which he is appointed. They shall be appointed during the month of January, and shall hold their office for two years, and until their successors shall be appointed, unless sooner removed by the Governor at the request of the township board of health of Beaufort township, or for other reasons satisfactory to him. For the purpose of carrying out the provisions herein with regard to the port of Beaufort the sum of two thousand and fifty dollars shall be annually appropriated, to be paid by the state treasurer on the order of the chairman of the township board of health of Beaufort township.

1932 Code, § 5060; Civ. C. '22, § 2495; Civ. C. '12, § 1661; Civ. C. '02, § 1137; R. S. 994; 1891 (20) 1251.

§ 5061. Lazaretto in Charleston harbor.—The site of the Lazaretto attached to the quarantine station in Charleston harbor is changed from Morris Island to the point on James Island adjacent to Fort Johnson, upon the lands now the property of the State.

1932 Code, § 5061; Civ. C. '22, § 2496; Civ. C. '12, § 1662; Civ. C. '02, § 1138; G. S. 945; R. S. 995; 1880 (17) 332.

§ 5062. Station of quarantine officer in Charleston harbor.—The station of the quarantine officer of the port of Charleston, or his deputies, shall be at a suitable point on Sullivan's Island, or at Fort Johnson, as may be thought best for the expeditious boarding and examination of vessels arriving from all ports into the harbor of Charleston, the location of said station to be determined upon by the harbor commission; and the necessary buildings shall be erected for the accommodation of the quarantine officer and his deputies.

1932 Code, § 5062; Civ. C. '22, § 2497; Civ. C. '12, § 1663; Civ. C. '02, § 1139; G. S. 946; R. S. 996; 1880 (17) 332; (14) 227.

§ 5063. Anchorage ground for vessels.—The anchorage ground for vessels at quarantine at the ports of Georgetown, Charleston and Hilton Head shall be designated by buoys, to be anchored under the direction of the quarantine officer; and every vessel subject to quarantine shall, imme-

diately on her arrival, anchor within them, and there remain, with all persons arriving on her subject to the examination and regulations imposed by law. For the purpose of quarantine, the port of Hilton Head shall be held to include the port of Beaufort. The quarantine anchorage for Port Royal shall be not less than one mile below and south of the mouth of Johnson's or St. Helena River.

1932 Code, § 5063; Civ. C. '22, § 2498; Civ. C. '12, § 1664; Civ. C. '02, § 1140; G. S. 947; R. S. 997; 1868 (14) 112, § 1; 1879 (17) 102.

§ 5064. Vessels subject to quarantine—regulations—detention—pratique.

—For the more certain prevention of the introduction of disease into the several ports of this State, every vessel arriving from a foreign port, or from a suspected or infected port of the United States, shall immediately proceed to the quarantine station of the port of arrival and display a yellow flag, or the vessel's ensign in the rigging, and shall be visited by the quarantine officer between sunrise and sunset as soon as possible after such arrival. All vessels which have had infectious or contagious diseases on board during the voyage, or while in the port of departure, and also all vessels from infected or suspected latitudes or ports, shall be subject to a detention for such time as the constituted health authorities at the port of arrival may deem requisite, and pratique shall not be given to any such vessel until such vessel shall have been thoroughly disinfected and fumigated, the cargo and ballast having been first discharged, unless the constituted health authorities of the said port shall deem such disinfection, fumigation and discharge unnecessary.

1932 Code, § 5064; Civ. C. '22, § 2499; Civ. C. '12, § 1665; Civ. C. '02, § 1141; G. S. 948; R. S. 998; 1881 (17) 596; 1886 (19) 441; 1893 (21) 520.

§ 5065. Vessels at quarantine on first of November.—All vessels and persons remaining at quarantine on the first day of November, shall thereafter be subject to such quarantine and restrictions as vessels and persons arriving on and after that day.

1932 Code, § 5065; Civ. C. '22, § 2500; Civ. C. '12, § 1666; Civ. C. '02, § 1142; G. S. 949; R. S. 999; 1868 (16) 113, § 3.

§ 5066. Infected and foreign vessels arriving after first of November—passengers to be vaccinated.—All vessels arriving on and after the first day of November, having had, during the voyage, a case of smallpox, cholera, or typhus, or infectious or contagious disease, and every vessel from a foreign port having passengers, and not hereinbefore declared subject to quarantine, shall, on her arrival, be anchored at quarantine ground, and be visited by the quarantine officer or his deputies, but shall not be detained beyond the time requisite for due examination, unless she shall have had on board during the voyage some case of smallpox, typhus, or other infectious or contagious disease, in which case she shall be subject to such quarantine as the quarantine officer or his deputies shall prescribe. And it shall be the duty of the quarantine officer or his deputies, whenever necessary for the public health, to cause the persons on board of any vessel to be vaccinated.

1932 Code, § 5066; Civ. C. '22, § 2501; Civ. C. '12, § 1667; Civ. C. '02, § 1143; G. S. 950; R. S. 1000; 1869 (14) 210, § 2.

§ 5067. Vessels at wharves with passengers and cargo may be ordered to quarantine ground.—The quarantine officer, intendant and wardens, or the mayor and alderman, as the case may be, and in the port of Charleston the harbor commission, whenever, in their judgment the public health

shall require, may order any vessel at the wharves of either of said ports, or in their vicinity, to the quarantine ground or other place of safety, and may require all persons, articles, or things introduced into said ports from such vessels to be seized, returned on board, or removed to the quarantine ground or other place. If the master, owner of (or) consignee of the vessel, cannot be found, or shall refuse or neglect to obey the order of removal, the quarantine officer, intendant and wardens, or mayor and alderman, and in the port of Charleston the harbor commission, as the case may be, shall have power to cause such removal, at the expense of such master, owner, or consignee, and such vessel or person shall not return to the port without the written permission of the quarantine officer.

1932 Code, § 5067; Civ. C. '22, § 2502; Civ. C. '12, § 1668; Civ. C. '02, § 1144; G. S. 951; R. S. 1001; 1868 (14) 113, § 4.

§ 5068. Vessels bound north, after examination, may pass on their voyage.

—If any vessel arriving at the quarantine ground, subject to quarantine, shall be bound to some port north of either of said ports, the health officer, after having duly visited and examined her, may permit her to pass on her voyage; but no such vessel shall be brought to anchor off either of said ports, nor shall any of her crew or passengers land in or hold any communication with either of said ports, or any person therefrom.

1932 Code, § 5068; Civ. C. '22, § 2503; Civ. C. '12, § 1669; Civ. C. '02, § 1145; G. S. 952; R. S. 1002; 1868 (14) 113, § 5.

§ 5069. Vessels released from quarantine to deliver permit to city authorities.—The master of every vessel released from quarantine and arriving at a wharf in either of said ports shall, within twenty-four hours after such release, deliver the permit of the quarantine officer at the office of the mayor or intendant, as the case may be.

1932 Code, § 5069; Civ. C. '22, § 2504; Civ. C. '12, § 1670; Civ. C. '02, § 1146; G. S. 953; R. S. 1003; 1868 (14) 113, § 6.

§ 5070. Vessels arriving at quarantine may return to sea.—Nothing in this article shall prevent any vessel arriving at quarantine from again going to sea before breaking bulk.

1932 Code, § 5070; Civ. C. '22, § 2505; Civ. C. '12, § 1671; Civ. C. '02, § 1147; G. S. 954; R. S. 1004; 1868 (14) 113, § 7.

§ 5071. Pilots to ascertain whether incoming vessels are subject to examination.—It shall be the duty of each pilot belonging to either of the said ports to use his utmost endeavors to hail every vessel he shall discover entering the port, and to interrogate the master of such vessel in reference to all matters necessary to enable such pilot to determine whether, according to the provisions of the preceding sections, such vessel is subject to quarantine or examination by the quarantine officer.

1932 Code, § 5071; Civ. C. '22, § 2506; Civ. C. '12, § 1672; Civ. C. '02, § 1148; G. S. 955; R. S. 1005; 1868 (14) 113, § 8.

§ 5072. Pilots to notify vessels subject to examination to proceed to quarantine anchorage.—If, from the answers obtained to such inquiries, it shall appear that such vessel is subject to quarantine or examination by the quarantine officer, according to the preceding sections, the pilot shall immediately give notice to the master of the vessel that he, his vessel, his cargo, crew, and passengers, are subject to such examination, and that he must proceed and anchor said vessel at the quarantine anchorage, there to await the further directions of the quarantine officer.

1932 Code, § 5072; Civ. C. '22, § 2507; Civ. C. '12, § 1673; Civ. C. '02, § 1149; G. S. 956; R. S. 1006; 1868 (14) 113, § 9.

§ 5073. Duties of pilots relative to vessels under their charge and subject to quarantine.—It shall be the duty of every pilot who shall conduct into port a vessel subject to quarantine or examination by the quarantine officer: (1) to bring such vessel to anchor within the buoys marking the quarantine anchorage. (2) To prevent any vessel or boat from coming alongside of the vessel under his charge, and to prevent anything on board from being transferred to or thrown into any other vessel or boat. (3) To present to the master of the vessel a printed copy of this article, when such copy shall have been delivered to him for that purpose. (4) To take care that no violations of this article be committed by any person, and to report such as shall be committed, as soon as may be, to the quarantine officer. (5) To subject himself to such detention and delay, and cleansing and purification, as to his person and clothing, as shall be prescribed by the quarantine officer, after having boarded or brought to the quarantine ground any vessel subject to quarantine.

1932 Code, § 5073; Civ. C. '22, § 2508; Civ. C. '12, § 1674; Civ. C. '02, § 1150; G. S. 957; R. S. 1007; 1868 (14) 113, § 10.

§ 5074. Duty of quarantine officer to board vessel and report to municipal authorities.—It shall be the duty of the quarantine officer to board every vessel subject to quarantine or visitation by him immediately on her arrival, between sunrise and sunset; to inquire as to the health of all persons on board, and the condition of the vessel and cargo, by inspection of the bill of health, manifest, log book, or otherwise; to examine, on oath, as many and such persons on board as he may judge expedient to enable him to determine the period of quarantine and the regulations to which such vessels shall be made subject, and report the facts and his conclusions, and especially to report the number of persons sick, and the nature of the disease with which they are afflicted, to the mayor or intendant, in writing.

1932 Code, § 5074; Civ. C. '22, § 2509; Civ. C. '12, § 1675; Civ. C. '02, § 1151; G. S. 958; R. S. 1008; 1868 (14) 114, § 11.

§ 5075. Quarantine officer to reside near quarantine grounds.—powers.—It shall be the duty of the quarantine officer to reside within or near the quarantine ground; and he shall have power: (1) to remove from the quarantine anchorage ground any vessel he may deem dangerous to the public health, to any place south or east of the quarantine ground, inside the bar. (2) To cause any vessel under quarantine, when he shall judge it necessary for the purification of the vessel or her cargo, passengers, or crew, or either of them, to discharge or land the same at the quarantine ground. (3) To cause any such vessel or cargo, bedding, and the clothing of persons on board, to be ventilated, cleansed and purified in such manner, and during such time, as he shall direct; and, if he shall judge necessary to prevent infection or contagion, to destroy any portion of such bedding or clothing; and, with the concurrence of the mayor or intendant, any portion of such cargo which may be deemed incapable of purification. (4) To prohibit and prevent all persons arriving in vessels subject to quarantine from leaving quarantine, or removing their goods or baggage therefrom, until fifteen days after the last case of pestilential, contagious, or infectious disease shall have occurred on board, and ten days after her arrival at quarantine, unless sooner discharged by him. (5) To permit the cargo of any vessel under quarantine, or any portion thereof, when he shall judge the same free from infection and contagion, to be conveyed to the landing. (6) To cause all persons under quarantine to be vaccinated, when he deems it necessary for the preservation of the public health. (7) To administer oaths and take affidavits in all examinations prescribed

by this chapter, and in relation to any alleged violation of quarantine law or regulation; such oaths to have the like validity and effect as oaths administered by a magistrate.

1932 Code, § 5075; Civ. C. '22, § 2510; Civ. C. '12, § 1676; Civ. C. '02, § 1152; G. S. 959; R. S. 1009; 1868 (14) 114, § 12.

§ 5076. Quarantine officer may direct arrest of person eloping or violating quarantine.—The quarantine officer may direct, in writing, any sheriff on constable to pursue and apprehend any person, not discharged, who shall elope from quarantine, or who shall violate any quarantine law or regulation, or who shall obstruct the health officer in the performance of his duty, and to deliver him to said officer, to be detained at quarantine until discharged by said officer; but such confinement shall in no case exceed ten days. It shall be the duty of the sheriff or constable so directed to obey such direction.

1932 Code, § 5076; Civ. C. '22, § 2511; Civ. C. '12, § 1677; Civ. C. '02, § 1153; G. S. 960; R. S. 1010; 1868 (14) 114, § 13.

§ 5077. Quarantine vessels distinguished.—Every vessel during her quarantine shall be designated by colors to be fixed in a conspicuous part of her main shrouds.

1932 Code, § 5077; Civ. C. '22, § 2512; Civ. C. '12, § 1678; Civ. C. '02, § 1154; G. S. 961; R. S. 1011; 1868 (14) 114, § 14.

§ 5078. Boats passing through range of quarantined vessels or landing at quarantine ground forbidden.—No vessel or boat shall pass through the range of vessels lying at quarantine, or land at the quarantine grounds, without the permission of the health officer.

1932 Code, § 5078; Civ. C. '22, § 2513; Civ. C. '12, § 1679; Civ. C. '02, § 1155; G. S. 962; R. S. 1012; 1868 (14) 114, § 15.

§ 5079. Lighters not to unload quarantined vessels.—No lighter shall be employed to load or unload vessels at quarantine without permission of the quarantine officer, and subject to such restrictions and regulations as he shall impose.

1932 Code, § 5079; Civ. C. '22, § 2514; Civ. C. '12, § 1680; Civ. C. '02, § 1156; G. S. 963; R. S. 1013; 1868 (14) 114, § 16.

§ 5080. Passengers to be maintained by master of vessel during quarantine.—All persons being on board of vessels under quarantine shall be provided for by the master of the vessel in which they shall have arrived; and if the master shall omit or refuse to provide for them, or they shall have been sent on shore by the quarantine officer, they shall be maintained at the expense of such vessel, her owners, consignees, and each and every one of them; and the quarantine officer shall not permit such vessel to leave quarantine until such expenses shall have been repaid or secured; and the said quarantine officer shall have an action against such vessel, her owners and consignees, and each and every one of them, for such expenses, which shall be a lien on such vessel, and as such may be enforced as other liens on vessels.

1932 Code, § 5080; Civ. C. '22, § 2515; Civ. C. '12, § 1681; Civ. C. '02, § 1157; G. S. 964; R. S. 1014; 1868 (14) 114, § 17.

§ 5081. Criminal passengers may be confined on shores—expense of maintenance defrayed by vessel.—The quarantine officer, upon the application of the master of any vessel under quarantine, may confine in any suitable place on shore any person on board of such vessel charged with having

committed an offense punishable by the laws of this State or the United States, and who cannot be secured on board of such vessel; and such confinement may continue during the quarantine of such person, or until he shall be proceeded against in due course of law; and the expense thereof shall be charged and collected as in the last preceding section.

1932 Code, § 5081; Civ. C. '22, § 2516; Civ. C. '12, § 1682; Civ. C. '02, § 1158; G. S. 965; R. S. 1015; 1868 (14) 114, § 18.

§ 5082. Appeal from quarantine officer to board of appeal.—Any person aggrieved by any decision, order, or direction of the quarantine officer, may appeal therefrom to the Governor, attorney general, and comptroller general, who shall constitute a board of appeal; the said board shall have power to affirm, reverse, or modify the decision, order, or direction appealed from, and the decision of the board thereon shall be final.

1932 Code, § 5082; Civ. C. '22, § 2517; Civ. C. '12, § 1683; Civ. C. '02, § 1159; G. S. 966; R. S. 1016; 1868 (14) 114, § 19.

§ 5083. Appeal — how made and prosecuted.—An appeal to the board of appeal must be made by serving upon the quarantine officer a written notice of such appeal within twelve hours after (Sundays excepted) the appellant receives notice of the order, decision, or direction complained of. Within twelve hours after the quarantine officer receives such notice (Sundays excepted) he shall make a return, in writing, including the facts on which his order, decision, or direction was founded, to the Governor, who shall immediately call a meeting of the board of appeal, and shall be president of said board; and said appeal shall be heard and decided within twenty-four hours thereafter (Sundays excepted); and, until such decision is made, the order, decision, or direction complained of except it refer to the detention of a vessel, her cargo, or passengers at quarantine, shall be suspended.

1932 Code, § 5083; Civ. C. '22, § 2518; Civ. C. '12, § 1684; Civ. C. '02, § 1160; G. S. 967; R. S. 1017; 1868 (14) 114, § 20.

§ 5084. Health officer may enforce orders—expense to be a lien on vessel.—Whenever the said quarantine officer, in the performance of the duties and in the execution of the powers imposed and conferred upon him by law, shall order or direct the master, owner, or consignee of any vessel under quarantine, to remove such vessel from her anchorage, or to any person or thing on board thereof, or which shall have been brought to said port therein, and said master, owner, or consignee shall neglect or refuse to comply with such order or direction, the said quarantine officer shall have power to employ such persons and assistants as may be necessary to carry out and enforce such order or direction, and the person so employed shall have a lien on such vessel, her tackle, apparel, and furniture, for their services and expenses.

1932 Code, § 5084; Civ. C. '22, § 2519; Civ. C. '12, § 1685; Civ. C. '02, § 1161; G. S. 968; R. S. 1018; 1868 (14) 116, § 21.

§ 5085. Sanitary inspectors — when and by whom appointed.—The Governor is authorized, upon the advice and recommendation of the chairman of the state board of health, to appoint sanitary inspectors whenever any contagious or infectious disease shall appear or become epidemic in this State or any other State directly connected with this State by land or water transportation.

1932 Code, § 5085; Civ. C. '22, § 2520; Civ. C. '12, § 1686; Civ. C. '02, § 1162; G. S. 970-a; R. S. 1020; 1889 (20) 370.

§ 5086. Duty and powers of sanitary inspectors.—The duty of such sanitary inspectors shall be, under the direction and control of the state board of health or its proper officers, to inspect railroad cars, vessels or other conveyances, and they are empowered to stop and detain such cars, vessels or other conveyances, and any or all passengers, baggage and freight, when deemed expedient, and to have such cars, vessels or other conveyances, baggage or freight disinfected or destroyed if necessary to prevent the spread of disease. And the said sanitary inspectors are hereby constituted officers to administer oaths and to arrest all persons violating the sanitary laws of the State or interfering with and hindering them in the discharge of their duties.

1932 Code, § 5086; Civ. C. '22, § 2521; Civ. C. '12, § 1687; Civ. C. '02, § 1163; G. S. 970-b; R. S. 1021; 1889 (20) 370.

§ 5087. Appropriation to pay expenses.—The expenses for carrying out the provisions of the preceding section shall be provided for by a contingent fund of three thousand dollars, which shall be administered by the state board of health and disbursed on the order of the chairman of said board, countersigned by the Governor.

1932 Code, § 5087; Civ. C. '22, § 2522; Civ. C. '12, § 1688; Civ. C. '02, § 1164; G. S. 970-c; R. S. 1022; 1889 (20) 370.

§ 5088. Governor may, by proclamation, declare place infected, etc.—The Governor may issue his proclamation declaring any place where there shall be reason to believe a pestilential, contagious or infectious disease exists or may exist to be an infected place within the meaning of this article and may make such regulations as may be necessary in order to prevent the entrance or spread of Asiatic cholera into or in this State.

1932 Code, § 5088; Civ. C. '22, § 2523; Civ. C. '12, § 1689; Civ. C. '02, § 1165; G. S. 971; R. S. 1023; 1865 (13) 307; 1868 (14) 116, § 23.

§ 5089. When effect of proclamation of infection to cease—how time extended.—Such proclamation shall fix the period when it shall cease to have such effect, but such period, if he shall judge the public health to require it, may from time to time be extended, and notice of the same shall be published in all the newspapers of said port.

1932 Code, § 5089; Civ. C. '22, § 2524; Civ. C. '12, § 1690; Civ. C. '02, § 1166; G. S. 972; R. S. 1024; 1868 (14) 116, § 24.

§ 5090. Vessels from infected places subject to quarantine.—After such proclamation shall have been issued, all vessels arriving in either of the said ports from such infected place shall, together with their officers, crews, passengers and cargoes, be subject to all the provisions, regulations and penalties of this article in relation to vessels subject to quarantine; but such quarantine shall not extend beyond the period when such proclamation shall cease to have effect, as provided by section 5089.

1932 Code, § 5090; Civ. C. '22, § 2525; Civ. C. '12, § 1691; Civ. C. '02, § 1167; G. S. 973; R. S. 1025; 1868 (14) 116, § 25.

§ 5091. "Quarantine officer" to mean quarantine officer or his deputies.—must be physicians.—Whenever the words "quarantine officer" occur in this article, they shall be understood to mean quarantine officer or his deputies; *provided*, that said deputies shall in all cases be graduates of a regular medical school.

1932 Code, § 5091; Civ. C. '22, § 2526; Civ. C. '12 § 1692; Civ. C. '02, § 1168; G. S. 978; R. S. 1026; 1869 (14) 210, § 1.

§ 5092. When quarantine officer may employ force.—The officer or officers who may be intrusted with the execution of the quarantine laws are authorized and directed, in case of a violation or attempt to violate any of the said laws, to board, by force of arms, any vessel used in such violation or attempt to violate, and to detain her and her crew and passengers.

1932 Code, § 5092; Civ. C. '22, § 2527; Civ. C. '12, § 1693; Civ. C. '02, § 1169; G. S. 980; R. S. 1027; 1809 (5) 508, § 1.

§ 5093. May fire upon vessel violating laws.—Any vessel which shall be restrained under quarantine laws and shall attempt to violate the same may be fired upon, and detained by force of arms.

1932 Code, § 5093; Civ. C. '22, § 2528; Civ. C. '12, § 1694; Civ. C. '02, § 1170; G. S. 981; R. S. 1028; 1809 (5) 508, § 3; 1832 (6) 473, § 7.

§ 5094. Boats and armed men may be employed by the Governor to enforce laws.—When the Governor may deem it necessary, he shall at the expense of the State, hire and employ boats and small craft, and a sufficient number of able men, well armed, to be stationed wherever he may think fit, and to act under his directions, in order to enforce obedience to the laws of this State requiring the performance of quarantine, and also to arm such men, if requisite, with any firearms belonging to this State.

1932 Code, § 5094; Civ. C. '22, § 2529; Civ. C. '12, § 1695; Civ. C. '02, § 1171; G. S. 982; R. S. 1029; 1797 (5) 310.

§ 5095. Harbor commission of Charleston harbor — authority. — The harbor commission shall control all quarantine stations and buildings in Charleston harbor, shall designate and fix the location thereof, and shall make such regulations respecting the same as will secure the thorough and complete enforcement of the quarantine laws of the State, in no way, however, limiting or encroaching upon the powers and duties of the state board of health.

1932 Code, § 5095; Civ. C. '22, § 2530; Civ. C. '12, § 1696; Civ. C. '02, § 1172; G. S. 983; R. S. 1031; 1880 (17) 399.

§ 5096. Quarantine charges.—The following uniform schedule of charges is hereby adopted for quarantine dues at all ports of the State, the amount collected to be expended for the more effective enforcement of quarantine at each port, to wit: for every vessel boarded and inspected, \$3; for every vessel of 100 tons or less, fumigating and disinfecting, each process, \$10; for every vessel over 100 tons and less than 250 tons, fumigating and disinfecting, each process, \$14; for every vessel over 250 tons and less than 500 tons, fumigating and disinfecting, each process, \$20; for every vessel over 500 tons and less than 750 tons, fumigating and disinfecting, each process, \$28; for every vessel over 750 tons and less than 1,000 tons, fumigating and disinfecting, each process, \$34; for every vessel over 1,000 tons and less than 1,250 tons, fumigating and disinfecting, each process, \$40; for every vessel over 1,250 tons, fumigating and disinfecting, according to tonnage of vessel, each process, \$44 to \$68: *except*, that in every port in this State where the Holt system of marine sanitation is in use the following charges shall be enforced, to wit: inspection fees—for every schooner or brig, \$8; for every bark, \$10; for every steamship or ship, \$15. Fumigation and disinfection fees—for every schooner under 500 tons, a sum not exceeding \$50; for every bark or brig over 500 tons, a sum not exceeding \$60; for every steamship or ship under 1,000 tons, a sum not exceeding \$75; for every steamship or ship over 1,000 tons, a sum not exceeding \$100. In all cases the quarantine officer will collect the charges made against vessels before giving permission to leave quarantine either by captain's draft

on consignee or in currency, and shall return the same to the board charged with the administration of the quarantine at such port, who shall be responsible for the disbursement thereof.

1932 Code, § 5096; Civ. C. '22, § 2531; Civ. C. '12, § 1697; Civ. C. '02, § 1173; G. S. 984; R. S. 1032; 1881 (17) 579; 1883 (18) 619; 1889 (20) 371.

ARTICLE 3

Hotels and Restaurants

- | | |
|--|--|
| 5097. Definitions. | 5111. Towels and soap. |
| 5098. Posting of rates by hotels. | 5112. Refrigerators and kitchens. |
| 5099. Fire extinguishers. | 5113. Dishes and cooking utensils. |
| 5100 thru 5102. Stairways and fire escapes. | 5114. Disposal of garbage. |
| 5103 and 5104. Water closets and wash-rooms. | 5115. General sanitation. |
| 5105. Cisterns and tanks. | 5116. Inspection and fees. |
| 5106. Analysis of water. | 5117 and 5118. Powers, duties and reports of inspectors. |
| 5107. Fly screens. | 5119. Score cards. |
| 5108 and 5109. Bedding. | 5120. Physical examination of employees. |
| 5110. Disinfecting and airing of rooms. | 5121 thru 5123. Violations of requirements. |

§ 5097. Definitions.—A hotel within the meaning of this article is an inn or public lodging house of more than ten bedrooms where transient guests are fed or lodged for pay in this State. The term “restaurant” as used in this article shall include lunch counters and cafes. The term “transient guests,” within the meaning of this article, shall mean one who puts up for less than one week at such hotel.

1932 Code, § 5097; Civ. Co. '22, § 2366; 1920 (31) 860.

§ 5098. Hotels to post rates.—Every transient hotel shall keep posted in a conspicuous place in the office a list of its charges for rooms, with or without meals, in accordance with the plan or plans on which the hotel is operated, giving the exact transient rate, and shall also keep posted in each room the rate for that room, with or without meals, in accordance with its plans as stated above, giving the transient rate per day and week, and the rate for each person in the room; also the fractional part of a day: *provided*, no hotel shall charge a higher rate for a fractional part of a day than for a whole day.

1932 Code, § 5098; Civ. C. '22, § 2367; 1920 (31) 860.

§ 5099. Fire extinguishers to be provided.—Every hotel shall provide each floor with one or more fire extinguishers of a type approved by the national board of fire underwriters, which shall be kept in good working order at all times, with plain instructions thereon.

1932 Code, § 5099; Civ. C. '22, § 2368; 1920 (31) 860.

§ 5100. Stairways—fire escapes.—All hotels hereafter constructed in this State over two stories in height and over one hundred feet in length, shall be constructed so that there shall be at least two stairs for the use of guests leading from the ground floor to the uppermost story, and for larger buildings such number as the state insurance commissioner shall designate. Every hotel in this State over two stories in height shall be provided, without delay, with permanent iron balconies with iron stairs leading from one balcony to the other, above the ground floor, and with stairway or ladder

extending to the ground, in case such hotel is over one hundred and fifty feet in length, and in other cases such number as may be directed by the state insurance commissioner or agent: *provided*, that where said hotels already built and are in the opinion of the state insurance commissioner or agent, provided with sufficient inner stairways, so located as to furnish sufficient egress in case of fire, the aforesaid official may waive the requirement for outside iron balconies and stairs. Such balconies and iron stairs shall be constructed at the expense of the owner of said hotel: *provided*, that where hotels are already built where fire escapes are located so as to go through any room, this section shall not apply: *provided*, that this article not apply to private residences at which lodgers are not received for hire.

1932 Code, § 5100; Civ. C. '22, § 2369; 1920 (31) 860.

§ 5101. Directions for reaching fire escapes.—In every hotel having fire escapes directions for reaching the fire escape shall be kept posted at the entrance of stairway, elevator shaft, and in each bed room above the ground floor. From eight o'clock in the evening until six o'clock in the morning the location and direction of the fire escapes shall be indicated by red lights.

1932 Code, § 5101; Civ. C. '22, § 2370; 1920 (31) 860.

§ 5102. Exits from inside courts.—The owner or proprietor, manager, or person in charge of every hotel now existing or hereafter constructed with an inside court or light well enclosed on all sides and with sleeping rooms or lodging apartments, the only windows of which open upon or into such court or light well, shall provide escape from such inside court or light well through room or rooms, or otherwise, on a level with the lowest floor to which the light well extends.

1932 Code, § 5102; Civ. C. '22, § 2371; 1920 (31) 860.

§ 5103. Water closets—washroom.—In all cities, towns or villages where a system of waterworks and sewerage is maintained for public use, every hotel therein accessible to water main and sewer main shall be equipped, within six months after the passage of this article, with suitable water closets for the accommodation of its guests, which water closets shall be connected and trapped by proper plumbing with such water and sewerage systems, and there shall be some adequate means of flushing said water closets with the water in such manner as to prevent sewer gas from arising therefrom. The wash bowls in the main washroom of such hotel must be connected and trapped and equipped in similar manner, both as to method and time; all such equipment to be paid for by the owner.

1932 Code, § 5103; Civ. C. '22, § 2372; 1920 (31) 860.

§ 5104. Privies.—In all towns and villages not having a system of waterworks, in cases where the water is derived from some public water supply, shall be in the preceding section provided, shall have properly constructed privies as approved by the state board of health, the same to be kept in sanitary condition at all times.

1932 Code, § 5104; Civ. C. '22, § 2373; 1920 (31) 860.

See § 5041 in connection with this section.

§ 5105. Cisterns and tanks.—The proprietor of every hotel shall keep all cisterns, tanks, and other receptacles containing standing water screened or otherwise so covered as to prevent the entrance of flies, mosquitoes, and

other disease-carrying insects. The term "standing water" as used in this article shall mean that which remains for ten days or more in a cistern, tank, or other receptacle.

1932 Code, § 5105; Civ. C. '22, § 2374; 1920 (31) 860.

§ 5106. Analysis of water.—A sample of water used in every hotel and restaurant, except in cases where the water is derived from such public water supply, shall be sent by the proprietor to the state board of health for analysis twice each year, with a certificate that it is the water used in such hotel or restaurant, and if the sample is found by such analysis to be unfit for the use that is made of the water in the hotel or restaurant, the further use of such water shall be discontinued until permission is granted by the said state board of health to resume the use of such water.

1932 Code, § 5106; Civ. C. '22, § 2375; 1920 (31) 860.

§ 5107. Fly screens.—The proprietor or keeper of every hotel or restaurant shall at all times keep screened the outside doors, windows, and all openings of the kitchen and dining room with suitable meshwire gauze. Every hotel must have all bedroom windows screened for protection against flies, mosquitoes, and other insects, and it shall be the duty of the proprietor or keeper of every hotel and restaurant to use such other means as fly paper, flytraps, etc., as may be necessary to keep their restaurant, kitchen, and dining rooms reasonably free from flies.

1932 Code, § 5107; Civ. C. '22, § 2376; 1920 (31) 860.

§ 5108. Bedding.—All hotels shall hereafter provide each bed, bunk, cot or other sleeping place for the use of guests with pillow slips, under and top sheets to be sufficient width to cover the mattress thereof, and to be at least ninety (90) inches long. All pillow slips and sheets after being used by one guest must be washed and ironed before being used by another guest, a clean set being furnished each succeeding guest.

1932 Code, § 5108; Civ. C. '22, § 2377; 1920 (31) 860.

See §§ 5057-11 thru 5057-22.

§ 5109. Bedding to be clean and free of vermin.—All beds, bedclothing, mattresses and pillows shall always be kept clean and free of vermin.

1932 Code, § 5109; Civ. C. '22, § 2378; 1920 (31) 860.

§ 5110. Fumigation and airing of rooms.—Every room after being occupied by anyone known or suspected to be suffering from tuberculosis, diphtheria, or other contagious disease, must be thoroughly disinfected as prescribed by the state board of health before further occupancy, and every room after being occupied by anyone known or suspected to be suffering from measles or whooping cough must be thoroughly aired for twenty-four (24) hours before subsequent occupancy.

1932 Code, § 5110; Civ. C. '22, § 2379; 1920 (31) 860.

§ 5111. Towels and soap.—All hotels shall furnish each guest with a clean towel and individual soap; and the use of the roller or other towels used in common is hereby prohibited in all hotels and restaurants.

1932 Code, § 5111; Civ. C. '22, § 2380; 1920 (31) 860.

§ 5112. Refrigerators—kitchens.—The refrigerator, ice box and cold storage rooms of all hotels or restaurants must be kept free from foul and unpleasant odors, mold and slime. The kitchen must be well lighted and

ventilated, the floor clean and the side walls and ceilings free from cobwebs and accumulated dirt.

1932 Code, § 5112; Civ. C. '22, § 2381; 1920 (31) 860.

§ 5113. Dishes—utensils.—All dishes, tableware and kitchen utensils must be thoroughly washed and rinsed with clean water after using; food served to customers, when part of same has been used, must not again be served to customers.

1932 Code, § 5113; Civ. C. '22, § 2382; 1920 (31) 860.

§ 5114. Disposal of garbage.—All garbage must be kept covered and protected from flies, in barrels or galvanized iron cans, and removed at least twice a week.

1932 Code, § 5114; Civ. C. '22, § 2383; 1920 (31) 860.

§ 5115. Premises sanitary.—Every lodging house and every part thereof shall at all times be kept free from filth and rubbish in or on the premises belonging to or connected with the same. All water closets, wash basins, bath, windows, fixtures, fittings and painted surface shall at all times be kept clean and in good repair. The floors, walls and ceilings of all rooms, passages and stairways must at all times be cleaned and in good repair.

1932 Code, § 5115; Civ. C. '22, § 2384; 1920 (31) 860.

§ 5116. Inspection—fees.—For the purpose of carrying out the provisions of this article the state board of health is authorized and required to have inspected, through its inspectors, to be by it designated therefor, all hotels and restaurants in the State at least once a year. If, upon inspection of any hotel or restaurant, it shall be found that this law has been fully complied with, the secretary of the state board of health shall issue a certificate to that effect to the person operating the same, and such certificate shall be kept posted in plain view in some conspicuous place in said hotel or restaurant; *provided*, that for the purpose of carrying out the provisions of this article a fee for inspection shall be collected from each hotel, lodging house, or restaurant, according to following schedule: for each hotel or public lodging house of ten (10) to twenty (20) rooms, three (\$3.00) dollars; for twenty (20) to thirty (30) rooms, five (\$5.00) dollars; for thirty (30) to forty (40) rooms, ten (\$10.00) dollars; for forty (40) to sixty (60) rooms, fifteen (\$15.00) dollars; for sixty (60) to one hundred (100) rooms, twenty (\$20.00) dollars; for one hundred (100) rooms and above, twenty-five (\$25.00) dollars. For each restaurant with a seating capacity not exceeding (20), two dollars and fifty (\$2.50) cents, and for each restaurant with a seating capacity above twenty (20), ten (\$10.00) dollars.

1932 Code, § 5116; Civ. C. '22, § 2385; 1920 (31) 860; 1922 (32) 1053.

(These fees were provided before the General Assembly placed the inspection of hotels in the hands of the State Board of Health. Their representative is not allowed to accept any fees and the provision for fees should be repealed.)

§ 5117. Reports of inspectors.—The official representative or inspector of the state board of health shall, after inspection, make a report of the condition of the hotel inspected upon blanks to be provided by the state board of health, showing in detail the condition of the hotel with reference to compliance with this law, which report shall be filed in the office of the commission.

1932 Code, § 5117; Civ. C. '22, § 2386; 1920 (31) 860.

§ 5118. Powers of inspectors.—The inspectors or representatives of the state board of health are hereby empowered and authorized to enter any

hotel at all reasonable hours to make such inspection; and it is hereby made the duty of every person in the management or control of such hotel to afford free access to every part of the hotel, and render all aid and assistance necessary to enable the inspector to make a full, thorough, and complete examination thereof; but no inspector shall violate the privacy of any guest without his or her consent.

1932 Code, § 5118; Civ. C. '22, § 2387; 1920 (31) 860.

§ 5119. Score cards.—The representative or inspector of the state board of health herein required to be appointed by it shall adopt the score-card system, after each inspection of the state board of health, or inspector, shall issue to each hotel, lodging house, or restaurant an inspection score-card showing the per cent. or degree of compliance with the provisions of this article.

1932 Code, § 5119; Civ. C. '22, § 2388; 1920 (31) 860.

§ 5120. Physical examination of employees.—Before any owner or manager of any such hotel, lodging house or restaurant shall receive in its employ any cook, waiter or other employee, they shall require a health card showing that such employee has stood a physical examination by some reputable physician and that they are free from all infectious and contagious diseases and are in sound health.

1932 Code, § 5120; Civ. C. '22, § 2389; 1920 (31) 860.

§ 5121. Compliance with requirements.—It shall be the duty of the inspector, upon ascertaining by inspection or otherwise that any hotel is being carried on contrary to any of the provisions of this article, to notify the manager or proprietor in what respect it fails to comply with the law, requiring such persons within a reasonable time to do or to cause to be done the things necessary to make it comply with the law, whereupon such proprietor or manager shall forthwith comply with such requirements.

1932 Code, § 5121; Civ. C. '22, § 2390; 1920 (31) 860.

§ 5122. Violation a misdemeanor—penalties—each day a separate offense.—Any owner or manager, agent or person in charge of a hotel or restaurant or any other person who shall wilfully obstruct, hinder or interfere with any inspector in the proper discharge of his duty, or who shall wilfully fail or neglect to comply with any of the provisions of this article, after notice from the inspector or any other person in authority, shall be guilty of a misdemeanor, and, upon conviction thereof, be fined not less than twenty-five dollars nor more than one hundred dollars for each offense, and each day of failure to comply with the provisions of this article shall be a separate and distinct offense.

1932 Code, § 5122; Civ. C. '22, § 2391; Cr. C. '22, § 446; 1920 (31) 860.

§ 5123. Inspector to swear out warrants.—It shall be the duty of the inspector, in case he shall have knowledge of any violation of this article, to swear out a warrant against the person offending.

1932 Code, § 5123; Civ. C. '22, § 2392; 1920 (31) 860.

No. 6.

HOTELS

Section 1. Definitions: Hotel: For the purpose of interpreting and enforcing these regulations the term "hotels" shall be construed to mean and include any place where sleeping is available to transients, whether such establishment be known as, or held to be, a hotel, inn, tavern, resort, tourist home, tourist camp, apartment, club, boarding house, or by other like term, and regardless of the number of rooms,

suites, or cabins available. *Provided, however,* that the term shall not be construed as to include apartments, clubs, boarding houses, rooming houses, or portions thereof, where single night accommodations are not available to transients.

Transient Guest: The term "transient guest" within the meaning of these regulations, shall mean any person who is provided with lodging for a period of less than one week at such hotel.

Employee: The term "employee" within the meaning of these regulations shall mean any person who is employed in maid service or porter service.

Health Officer: The term "health officer" within the meaning of these regulations shall mean the health authority of the cities, and/or the counties, and/or the State or his authorized representative.

Person: The term "person" shall mean person, firm, corporation or association.

Section 2: Employees: All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in the handling of bed clothing or equipment. Before any owner or manager of any hotel shall receive in his employ any porter, maid, or other employee, he shall require a health card showing that such employee has stood a physical examination by a reputable physician and that such porter, maid, or other employee is free from all infectious and contagious diseases and is in sound health. The applicant shall not reside in a home where there is a contagious or infectious disease.

Section 3: Notification of disease: Notice shall be sent to the health officer immediately by the hotel owner, proprietor, manager or operator, or by the employee concerned if he or any employee contracts any infectious, contagious, or communicable disease, or has a fever, a skin eruption, a cough lasting more than 3 weeks, or any other suspicious symptom. It shall be the duty of any such employee to notify the hotel owner, proprietor, manager, or operator immediately when any of said conditions obtain, and if neither the manager nor the employee concerned notifies the health officer immediately when any of said conditions obtain they shall be held jointly and severally to have violated this section. A placard containing this section shall be posted in all toilet rooms and privies serving hotels.

Section 4: Procedure when infection suspected: When suspicion arises as to the possibility of transmission of infection from any hotel employee the health officer is authorized to require any or all of the following measures: (1) The immediate exclusion of the employee from all hotels; (2) the immediate closing of the hotel concerned until no further danger of disease outbreak exists, in the opinion of the health officer; (3) adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

Section 5: Disinfection, fumigation and airing of rooms: Every room, after being occupied by anyone known or suspected to be suffering from any contagious, or infectious communicable disease, or any other disease of a communicable nature, shall be rendered non-infectious according to the rules and regulations prescribed by the state board of health, before further occupancy.

Section 6: Stairways—fire escapes: All hotels hereafter constructed in this State which are two stories in height and not over one hundred feet in length, shall be constructed so that there shall be at least two stairs for the use of guests leading from the ground floor to the uppermost story, and for larger buildings such number as the state insurance commissioner shall designate. Every hotel in this State over two stories in height shall be provided, without delay, with permanent iron balconies with iron stairs leading from one balcony to the other, above the ground floor, and with stairway or ladder extending to the ground, in case such hotel is not over one hundred and fifty feet in length, and in other cases such number as may be directed by the state insurance commissioner or agent: *provided*, that where said hotels already built which are, in the opinion of the state insurance commissioner or agent, provided with sufficient inner stairways, so located as to furnish sufficient egress in case of fire, the aforesaid official may waive the requirement for outside iron balconies and stairs. Such balconies and iron stairs shall be constructed at the expense of the owner of said hotel.

Section 7: Directions for reaching fire escapes: In every hotel having fire escapes, directions for reaching the fire escapes shall be kept posted at the entrance of stairways, elevator shafts, and in each bedroom above the ground floor. From eight o'clock in the evening until six o'clock in the morning the location and direction of the fire escapes shall be indicated by red lights.

Section 8: Exits from inside courts: The owner or proprietor of every hotel now existing or hereafter constructed with an inside court or light well enclosed on all sides and with sleeping rooms or lodging apartments, the only windows of which open upon or into such court or light well, shall provide escape from such inside court or light well through room or rooms, or otherwise, on a level with the lowest floor to which the light well extends.

Section 9: Fire extinguishers to be provided: Every hotel shall provide each floor with one or more fire extinguishers of a type approved by the National Board of

Fire Underwriters, which shall be kept in good working order at all times, with operating instructions clearly printed thereon. Every floor shall have at least one efficient fire extinguisher in every fifteen hundred square feet of floor area. Each extinguisher shall be kept efficient by being refilled as often as required by the manufacturers of the extinguisher, and a tag attached to the extinguisher showing date of last refill.

Section 10: Water supplies: Where private water supplies are installed to serve hotels where public systems are not available, those systems shall be constructed and installed in accordance with the laws of the State of South Carolina and/or rules and regulations of the state board of health. All hotel rooms that are not equipped with water under pressure and a lavatory shall be provided with a water pitcher and basin.

Section 11: Analysis of water: A sample of water used in every hotel except in cases where the water is derived from such public water supply, shall be sent by the owner, proprietor, manager or operator to the state board of health hygienic laboratory for analysis at least every three to six months, with a certificate that it is the water used in such hotel, and if the sample is found by such analysis to be unfit for the use that is made of the water in the hotel, the further use of such water shall be discontinued until permission is granted by the state board of health to resume the use of such water.

Section 12: Sewage disposal: In all cities, towns or villages where a system of waterworks and sewerage is maintained for public use, every hotel therein accessible to water main and sewer main shall be equipped, within six months after the passage of these regulations, with suitable water closets for the accommodation of its guests and/or employees, which water closets shall be connected and trapped by proper plumbing with such water and sewerage systems. The wash bowls in the washrooms of such hotel must be connected and trapped in similar manner, both as to method and time: all such equipment to be paid for by the owner.

Where sewage disposal systems are installed to serve hotels, where public systems are not available these systems shall be constructed and installed in accordance with the laws of the State of South Carolina and/or rules and regulations of the state board of health.

In all towns and villages not having a public sewerage system, and for those hotels and restaurants where an approved private water carriage sewerage system is not in operation, there shall be installed properly constructed privies as approved by the state board of health, the same to be kept in a sanitary condition at all times.

Section 13: Fly screens: The owner, proprietor, manager, or operator of every hotel shall at all times keep the outside doors, and windows screened. Every hotel must have all bedroom windows screened for protection against flies, mosquitoes, and other insects with 16 gauge mesh wire, and it shall be the duty of the owner, proprietor, manager, or operator of every hotel to use such other means as fly paper, flytraps, fly-repellent fans, etc., as may be necessary to keep the hotel reasonably free from flies.

Section 14: Cisterns and tanks: The owner, proprietor, manager, or operator of every hotel shall keep all cisterns, tanks and other receptacles containing standing water screened with 16 gauge mesh wire, or otherwise so covered as to prevent the entrance of flies, mosquitoes, and other disease carrying insects. The term "standing water" as used in these regulations shall mean that which remains for seven days or more in a cistern, tank, or other receptacle.

Section 15: Disposal of garbage and other wastes: Proper disposition shall be made of all wastes. All garbage shall be kept in water tight covered containers and protected from flies, rodents, and domestic animals. These containers shall be emptied and thoroughly cleaned at least once daily. They shall be on a platform at least six inches above the ground and the platform so constructed as to facilitate proper cleaning, aeration, etc.

Section 16: Heating, lighting, ventilation: Every hotel shall be provided with adequate heating facilities. Every hotel shall be well lighted and ventilated. All toilets and washrooms of all hotels shall be provided with adequate light. The toilets and washrooms of all hotels shall be properly ventilated.

Section 17: Premises sanitary: Every hotel shall at all times be kept free from filth and rubbish in or on the premises belonging to or connected with the same. Every hotel shall be free of breeding places of flies, mosquitoes and rodents.

Section 18: Hotels to post rates: Every hotel shall keep posted in a conspicuous place in the office a list of its charges for rooms, with or without meals, in accordance with the plan or plans on which the hotel is operated, giving the exact transient rate, and shall also keep posted in each room the rate for that room with or without meals, in accordance with its plans as stated above, giving the transient rate per day and week, and the rate for each person in the room; also the fractional part of a day: *provided*, no hotel shall charge a higher rate for a fractional part of a day than for a whole day.

Section 19: Bedding: The mattresses, pillows, bed coverings, and sheets used in all hotels shall be whole, in good repair and clean, and they shall be stored in clean places. All hotels shall hereafter provide each bed, bunk, cot or other sleeping place for the use of guests with pillow slips, under and top sheets to be of sufficient width to cover the mattress thereof, and to be at least ninety (90) inches long. All pillow slips and sheets shall be laundered after being used by one guest and a clean set furnished each succeeding guest.

Section 20: Bedding to be clean and free of vermin: All beds, bedclothing, mattresses, pillows, shades, curtains, carpets, and furniture shall always be kept clean and in good repair, stored in clean places, and be kept free of vermin.

Section 21: Floors, walls, and ceilings: The floors of all hotel rooms shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair. No sawdust shall be allowed on floors. The walls and ceilings of all hotel rooms shall be of a finish that will permit easy cleaning, shall be kept clean and in good repair.

Section 22: Lavatory facilities: Adequate and convenient handwashing facilities shall be provided in all hotels, including running water, soap, and approved sanitary towels. Each hotel guest shall be furnished with a clean towel and individual soap, and the use of roller or other towels used in common is hereby prohibited in all hotels. All towels and bath mats shall be laundered after having been used by one guest and a clean set furnished each succeeding guest.

Section 23: Permits: It shall be unlawful for any person to operate a hotel in the State of South Carolina, who does not possess an unrevoked permit from the health officer and in whose place of business such permit is not posted in a conspicuous place. This section shall apply to temporary or itinerant as well as to permanently established places of business. Only persons who comply with the requirements of these regulations shall be entitled to receive and retain such a permit.

Such a permit may be revoked by the health officer upon the violation by the holder of any of the terms of these regulations, or at any time when in the judgment of the health officer the hotel has become a public-health menace, provided that the holder of said permit shall, after complying with such revocation, have the right of appeal to the board of health.

Section 24: Compliance with requirements: It shall be the duty of the health officer upon ascertaining by inspection or otherwise that any hotel is being operated contrary to any of the provisions of these regulations, to notify the manager or proprietor in what respect it fails to comply with the law, and require such person within a reasonable time to do, or to cause to be done, the things necessary to make it comply with the law; whereupon such proprietor or manager shall forthwith comply with such requirements. *Provided* that, whenever any provision of these regulations and/or the rules and regulations of the state health officer is found to be so grossly violated as to endanger the health of patrons of a hotel, the health officer may order the immediate and complete closure of such establishment in addition to revoking and declining to issue a permit for its operation. It shall be unlawful for any person to offer or provide sleeping accommodations to the public in such closed establishment until the conditions responsible for its closure have been corrected to the satisfaction of the health officer.

Section 25: Inspection: For the purpose of carrying out the provisions of these regulations the state health officer is authorized and required to have inspected, by his designated inspectors, all hotels in the State at least once a year. If, upon inspection of any hotel it shall be found that this law has been fully complied with, the secretary of the state board of health shall issue a certificate to that effect to the person operating the same, and such certificate shall be kept posted in plain view in some conspicuous place in said hotel.

Section 26: Report of inspectors: The health officer shall, after inspection, make a report of the conditions of the hotel inspected upon blanks to be provided by the state board of health showing in detail the condition of the hotel with reference to compliance with this law, which report shall be filed in the office of the health officer, and a copy of which report shall be filed with the manager or operator of the hotel.

Section 27: Powers of inspectors: The health officer is hereby empowered and authorized to enter any hotel at all reasonable hours to make such inspection; and it is hereby made the duty of any person in the management or control of such hotel to afford free access to every part of the hotel, and to render all aid and assistance necessary to enable the health officer to make a full, thorough, and complete examination thereof; but no health officer shall violate the privacy of any guest without his or her consent.

Section 28: Score cards—grading: For the purpose of carrying out the provisions of these regulations the state health officer is hereby authorized and required to prepare reasonable rules and regulations and an official score card for showing the rating of hotels that come within the meaning of these regulations. The state

health officer shall prepare specific regulations, score cards, and certificates for hotels. In the case of a hotel maintaining a dining room there shall be issued two certificates—one for the hotel and one for the dining room—each based on the results as recorded on the separate score cards. After each inspection the health officer shall leave with the manager or operator of the hotel a copy of the score card showing the degree of compliance with the provisions of these regulations. At least once each year the health officer shall furnish to each hotel a certificate with the rating given to the hotel stated thereon. The manager or operator of the hotel, upon receipt of the above mentioned certificate, shall post it in a conspicuous place where it may be easily observed by guests, and shall remove and destroy the said certificate one year after the date written thereon, or at the direction of the health officer.

Section 29: Enforcement: It is hereby provided that the enforcement of these regulations devolved upon the personnel of the state board of health and/or the county health departments and/or the city health departments, according as the state board of health may deem most wise and expedient to order and determine.

Section 30: Health officer to swear out warrants: It shall be the duty of the health officer, in case he shall have knowledge of any violation of these regulations, and/or rules and regulations of the state health officer, to swear out a warrant against the person offending.

No. 7.

RESTAURANTS

Section 1. Definitions—The following definitions shall apply in the interpretation and enforcement of these regulations.

(a) **Restaurant**—The term "restaurant" shall mean restaurant, coffee shop, cafeteria, short order cage, luncheonette, tavern, sandwich stand, soda fountain, and all other public eating and drinking establishments, as well as kitchens in which food and drink are prepared for sale elsewhere to the public.

(b) **Itinerant restaurant**—The term "itinerant restaurant" shall mean one operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

(c) **Employee**—The term "employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed at any time in a room in which food or drink is prepared or served.

(d) **Utensils**—"Utensils" shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage preparation, or serving.

(e) **Health officer**—The term "health officer" within the meaning of these regulations shall mean the health authority of the cities, and/or the counties, and/or the State, or his authorized representative.

(f) **Person**—The word "person" shall mean person, firm, corporation, or association.

Section 2. Permits—It shall be unlawful for any person to operate a restaurant in the State who does not possess an unrevoked permit from the health officer and in whose place of business such permit is not posted in a conspicuous place. Only persons who comply with the requirements of these regulations shall be entitled to receive and retain such a permit. A person conducting an itinerant restaurant may, in the discretion of the health officer, be exempted from the requirement of securing a permit.

Such a permit may be suspended by the health officer, or revoked after an opportunity for a hearing by the health officer, upon the violation by the holder of any of the terms of these regulations.

Section 3. Placarding or public display of grade notice—Every restaurant shall display at all times in a place designated by the health officer, a notice approved by the health officer, stating the grade of the establishment.

Section 4. Examination and condemnation of unwholesome or adulterated food or drink—Samples of food and drink may be taken and examined by the health officer as often as he deems necessary for the detection of unwholesomeness or adulteration. The health officer may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink which he deems unwholesome or adulterated.

Section 5. Inspection of restaurants—At least once every 12 months the health officer shall inspect every restaurant within the State. In case the health officer discovers the violation of any item of sanitation required for the grade then held, he shall make a second inspection after the lapse of such time as he deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the requirements of these rules and regulations. Any violation of the same item of these rules and regulations on two consecutive inspections shall call for immediate degrading or suspension of permit.

One copy of the inspection report shall be posted by the health officer upon an inside wall of the restaurant, and said inspection report shall not be defaced or removed by any person except the health officer. Another copy of the inspection report shall be filed with the records of the health department.

Section 6. The grading of restaurants--The grading of all restaurants shall be based upon the following standards.

Sanitation requirements for grade A restaurants--All grade A restaurants shall comply with all of the following items of sanitation.

Item 1. Floors--The floors of all rooms in which food or drink is stored prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

Item 2. Walls and ceilings--Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

Item 3. Doors and windows--When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

Item 4. Lighting--All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.

Item 5. Ventilation--All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be well ventilated.

Item 6. Toilet facilities--Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees, conforming with the rules and regulations of the state board of health. In restaurants hereafter constructed toilet rooms shall not open directly into any room in which food, drink, or utensils are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees. In case privies or earth closets are permitted and used, they shall be separated from the restaurant building, and shall be of a sanitary type construction, and operated in conformity with the standards of the state board of health.

Item 7. Water supply--The water supply shall be easily accessible to all rooms in which food is prepared or utensils are washed, and shall be adequate, and of a safe sanitary quality, and shall meet all requirements of the state board of health as to drinking water.

Item 8. Lavatory facilities--Adequate and convenient hand-washing facilities shall be provided, including warm water, soap, and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.

Item 9. Construction of utensils and equipment--All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in good repair.

Item 10. Cleaning and bactericidal treatment of utensils and equipment--All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single-service containers shall be used only once.

All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose.

Item 11. Storage and handling of utensils and equipment--After bactericidal treatment no utensil shall be stored except in a clean dry place protected from flies, dust, or other contamination, and no utensil shall be handled except in such a manner as to prevent contamination as far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean dry place until used, and shall be handled in a sanitary manner.

Item 12. Disposal of wastes--All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such a manner as not to become a nuisance.

Item 13. Refrigeration--All readily perishable food or drink shall be kept at or below 50° F. except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.

Item 14. Wholesomeness of food and drink--All food and drink shall be wholesome and free from spoilage. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from sources approved by the health officer. Milk and fluid milk products shall be served in the original containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device: *provided*, that this requirement shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All oysters, clams, and mussels shall be from approved sources: *provided*, *further*, that approved milk shall mean A and B raw, A and B pasteurized and certified.

Item 15. Storage and display of food and drink--All food and drink shall be so stored and displayed as to be protected from dust, flies, vermin, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies shall be used.

Item 16. Cleanliness of employees--All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment.

Item 17. Miscellaneous--The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the operations connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

Grade B restaurants--Grade B restaurants are those which fail to comply with items 1, 2, 4, 5, or 17, but which conform to all other items of sanitation required for grade A restaurants.

Grade C restaurants--Grade C restaurants are those which fail to comply with either the grade A or grade B requirements.

Itinerant restaurant: A person conducting an itinerant restaurant may, in the discretion of the health officer, be exempted from the requirements of securing a permit. The health officer should approve an itinerant restaurant only if it complies with the following requirements of sanitation:

It shall be located in proper surroundings and kept in a clean and sanitary condition. It shall be so constructed and arranged that food, drink, utensils, and equipment will not be exposed to insects or to dust or other contamination. Only food and drink which is clean, wholesome and free from adulteration shall be sold or served. An adequate supply of water of safe sanitary quality shall be easily available and used for drinking and for cleaning utensils and equipment. If multi-use utensils are used in the serving of food or drink, they shall be thoroughly washed with hot water and a satisfactory detergent (as provided for in Section 6, Item 10), and rinsed with water after each use and so handled and kept as to be protected from contamination. Adequate provision shall be made for refrigeration of perishable food and drink. Ice used in or with food or drink shall be from a source approved by the health officer and so handled as to avoid contamination. In the event the establishment does not comply with the provisions of this paragraph, only single service containers shall be used.

Garbage and refuse shall be kept in tightly covered, water-tight containers until removed and shall be disposed of in a place and manner approved by the health officer. Dish water and other liquid wastes shall be so disposed of as not to create a nuisance.

No person suffering from any disease transmissible by contact or through food or drink or who is a known carrier of the germs of such a disease shall be employed in any capacity. Adequate and satisfactory toilet and hand washing facilities shall be readily accessible to employees. No person engaged in the handling or serving of food or drink shall return to his work, after using the toilet, without first thoroughly washing his hands.

Upon failure of any person maintaining or operating an itinerant restaurant, after warning, to comply with any of these requirements, it shall be the duty of the health officer summarily to forbid the further sale or serving of food or drink therein. Any person continuing to sell or serve food or drink in such a restaurant after being so forbidden, shall be subject to the penalties provided for violation of these rules and regulations and the laws of the State of South Carolina.

Itinerant restaurants--Itinerant restaurants shall be constructed and operated in a manner approved by the health officer.

Section 7. Grades of Restaurants which May Operate--When any restaurant fails to qualify for any of the grades in the hotel and restaurant regulations, the health officer is authorized to revoke the permit or in lieu thereof to degrade the restaurant and permit its operation during a temporary period not exceeding 30 days; *Provided*, however, That when the present national emergency is over, ac-

cording to the declaration of the President of the United States, and after said declaration, no restaurant shall be operated within the State unless it conforms with grade A, grade B, or approved itinerant restaurant requirements of these rules and regulations.

Section 8. Reinstatement of permit: supplementary regrading--Any restaurant the grade of which has been lowered and all grade displays have been changed accordingly, or the permit of which has been suspended may at any time make application for regrading or the reinstatement of the permit.

Within one week after the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated item or items of the specifications have been conformed with, the health officer shall make a reinspection, and thereafter as many reinspections as he may deem necessary to assure himself that the applicant is again complying with the higher grade requirements, and, in case the findings indicate compliance, shall award the higher grade or reinstate the permit.

Section 9. Poisonous substances--No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleansing or polishing of utensils.

Section 10. Notification of disease--Notice shall be sent to the health office immediately by the restaurant manager or by the employee concerned if he or any employee contracts any infectious, contagious, or communicable disease, or has a fever, a skin eruption, a cough lasting more than 3 weeks, or any other suspicious symptom. It shall be the duty of any such employee to notify the restaurant manager immediately when any of conditions obtain, and if neither the manager nor the employee concerned notifies the health officer immediately when any of said conditions obtain they shall be held jointly and severally to have violated this section. A placard containing this section shall be posted in all toilet rooms.

Section 11. Procedure when infection suspected--When suspicion arises as to the possibility of transmission of infection from any restaurant employee the health officer is authorized to require any or all of the following measures: (1) the immediate exclusion of the employee from all restaurants; (2) the immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the health officer; (3) adequate medical examinations of the employee and his associates, with such laboratory examinations as may be indicated.

Section 12. Enforcement interpretation--These rules and regulations shall be enforced by the health officer in accordance with the interpretations thereof contained in the 1940 edition of the U. S. Public Health Service Code Regulating Eating and Drinking Establishments, a certified copy of which shall be on file in the office of the Secretary of State.

Section 13. Penalties--Any person who violates any provision of these rules and regulations or any other person who shall wilfully obstruct, hinder or interfere with the health officer in the proper discharge of his duty, or who shall wilfully fail or neglect to comply with any of the provisions hereof, after notice from the health officer or any other person in authority, shall be guilty of a misdemeanor, and, upon conviction thereof, be fined not less than twenty-five dollars nor more than one hundred dollars for each offense, and each day of failure to comply with the provisions of these regulations shall be a separate and distinct offense. (See section 5122 of the Civil Code of 1942.)

ARTICLE 3-A

Tourist Camps and Road Houses

5123-1. License to operate.

5123-2. Application for license.

5123-3. Issuance of license.

5123-4. Revoke license.

5123-5. License fee.

5123-6. Law enforcing officers inform as to issuing or revoking license.

5123-7. Penalties—counties exempted.

§ 5123-1. License operate.--No person, firm or corporation shall maintain, operate or own any tourist camp or road house, where beds or lodging are had for hire, without first obtaining from the governing body of the county in which such tourist camp or road house is located, a license so to do, which license shall be issued upon the conditions hereinafter set out: *Provided*, that in Marion and Horry Counties, in addition to the above this article shall also apply to dance halls and places of amusement.

1937 (40) 172; 1938 (40) 1843.

§ 5123-2. Application for license.—Application for a license to operate, maintain or own any such tourist camp or road house shall be made in writing to the governing body of the county in which the license is to be issued, and the said application shall give the name of the owner of the property, the name of the manager or operator, the general nature of the business proposed to be conducted, and such other information as the said governing body may require.

1937 (40) 172.

§ 5123-3. Issuance of license.—Upon the filing of the said application, the said governing body, shall pass upon the said application and make its recommendation in writing to the clerk of the court of general sessions and common pleas for the county in which the license is to be issued. If the majority of the said governing body recommends the issuance of the said license, then the said clerk of court shall issue the same for a period of one (1) year, upon the payment of the license fee hereinafter prescribed.

1937 (40) 172.

§ 5123-4. Revoke license.—The governing body of any county wherein such a license has been issued shall have the right, upon such showing as to it may seem proper, to revoke any license issued under the terms of this article.

1937 (40) 172.

§ 5123-5. License fee.—The license fee to be charged and collected in connection with the licensing of said road houses and tourist camps shall be ten (\$10.00) dollars per annum per tourist camp or road house.

1937 (40) 172.

§ 5123-6. Law enforcing officers inform as to issuing or revoking license.—In the issuing or the revoking of licenses herein provided for, the said governing body may call upon the law enforcing officers within the county for information pertinent to the issuing or the revoking of such license, and, upon so doing, the officer or officers upon whom such requests are made shall furnish such governing body with such information as he may possess.

1937 (40) 172.

§ 5123-7. Penalties — counties exempted. — Any person, firm or corporation violating the provisions of section 5123-1 shall be deemed guilty of a misdemeanor and, upon conviction, be fined the sum of not less than twenty (\$20.00) dollars nor more than one hundred (\$100.00) dollars, or imprisoned for not more than thirty (30) days in the discretion of the court. Any person, firm or corporation violating the provisions of section 5123-1 shall commit separate offenses for each day said provisions are violated: *provided*, it shall not apply to Florence, Aiken, Barnwell, Lexington, Dorchester, Colleton, Sumter, Beaufort, Clarendon, Dillon, Abbeville, Williamsburg, Hampton, Bamberg, Chesterfield, Calhoun, Anderson, McCormick, Georgetown, Lee, Richland, Jasper and Cherokee.

1937 (40) 172; 1938 (40) 1552.

No. 3. TRAILER CAMPS, PARKS AND LOTS

The existing regulations pertaining to tourist camps and concerning such items as camp site, caretaker, general care of camp, water supply, toilet facilities, sewerage and wastes disposal, protection of the purity of public water supplies, preparation and handling of food, swimming pools, and communicable diseases shall apply to those places receiving trailer patronage.

Section 1. Camp site--Each site reserved for a trailer coach and car shall be not less than twenty feet by thirty-five feet, or the equivalent of not less than seven hundred square feet, and shall be clearly defined by suitable markers at each corner. The site shall be level, free from rocks and weeds, and well drained. No trailer coach shall be placed on any site where there is less than ten feet between the trailer and a building, or another trailer, or less than five feet from the property line separating from adjoining property, or less than twenty-five feet from a highway or street, all measurements from these to be from the nearest point to the nearest point of such trailer or vehicle. No greater number of trailer parties shall be allowed than there are camp sites available for.

Section 2. Trailer camp water supply--Water supply shall be obtainable from faucets only, which shall be provided within one hundred feet of any part of the trailer camp sites. No dipping of receptacles shall be permitted. No drinking vessels shall be exposed to promiscuous use.

Section 3. Trailer camp toilets--Flush toilets shall be provided in separate compartments for each sex, within a distance of two hundred feet from any part of the trailer camp site, one toilet for each sex accommodated. Toilets shall be distinctly marked "Men" and "Women" and their location plainly indicated by directional signs. Pit privies for camps accommodating trailer patronage are not sanctioned.

Section 4. Slop sinks--In every trailer camp or park there shall be provided one or more flushing slop sinks properly trapped and connected with a sewer, septic tank, said tanks to be conveniently located at no greater distance than one hundred feet from any trailer camp site. It is important, for the protection of the water supply, the slop sinks shall have the water faucets, inclusive of any rubber hose section that may be attached thereto, placed sufficiently high so that under no circumstances shall the point of delivery be beneath the level of any liquid in the sink or container washed therein. If the flush is operated by a valve of the "flushometer" type the form installed must involve an efficient siphon breaker device. Herein all liquid wastes from trailer coach sinks and toilets shall be deposited. An ample supply of hot water shall be provided for the efficient cleansing of such receptacles, and it shall be the duty of the caretaker to see that such cleansing is effected, also to see that no unnecessary sloppage upon the sides of the fixtures or on the flooring occurs. The latter should be of some impervious material, cement, and must be kept scrupulously clean, with frequent applications of a disinfectant solution. The windows and ventilators of the housing for such slop sinks shall be screened, and a self-closing screen or other door be provided.

Section 5. Use of trailer coach toilets at camp is prohibited--No person shall use or shall be permitted to use any toilet, whether chemical or otherwise, installed in any trailer coach, while the latter is parked in any trailer camp, nor shall any sink waste be discharged upon the ground therein. Buckets or other suitable receptacles shall be placed in such manner as to receive all liquids which may be discharged through any refrigerator drain or sink-pipe while the trailer coach is parked, and such buckets or receptacles shall not be permitted to overflow.

Section 6. Garbage and rubbish--One or more metal garbage cans with tight-fitting covers, appropriately labeled, shall be provided and conveniently placed for every six trailer camp sites or fractional part of this number. All garbage, waste and rubbish of any kind shall be either burned, buried or removed from the premises in such a manner as not to create a nuisance and as may be approved by the board. Incinerators shall be provided for burning combustible rubbish.

Section 7. Sections 10, 11 and 12 of the regulations for camps, shall apply also to these regulations.

ARTICLE 4

FOOD AND DRUGS

- | | |
|--|--|
| 5124 and 5125. Duties of state board of health. | 5128-27. Manufacture or sell impure food or drugs. |
| 5126. Samples of analysis. | 5128-28. Arsenate of lead, calcium arsenate, or poisonous agricultural insecticide or fungicide of a white color to be discolored. |
| 5127. Definitions. | |
| 5128. Adulterated articles. | |
| 5128-1 thru 5128-21. Uniform Narcotic Drug Act. | 5129. Samples by purchasers of cream on butter-fat basis. |
| 5128-25. Sale, etc., of barbiturates. | |
| 5128-26. Distribution and sale of dangerous caustic or corrosive substances. | |

§ 5124. State board of health inspect and investigate food, drugs, liquors, etc.—The state board of health shall take cognizance of the interests of the public health as it relates to the sale of food, drugs, spirituous, fermented and malt liquors, and the adulteration thereof, and make all necessary inquiries and investigations relating thereto, and for such purpose may appoint inspectors, analysts and chemists, who shall be subject to its supervision and removal. The said state board of health shall adopt such measures as it may deem necessary to facilitate the enforcement thereof. It shall prepare rules and regulations with regard to the proper method of collecting and examining drugs, articles of food, and spirituous, fermented and malt liquors.

1932 Code, § 5124; Civ. C. '22, § 3451; Civ. C. '12, § 2390; Civ. C. '02, § 1578; 1898 (22) 804.

§ 5125. Board publish exempted articles, determine variabilities.—It shall be the duty of the state board of health to prepare and publish from time to time lists of the articles, mixtures or compounds declared to be exempt from the provisions of sections 5124 to 5128, inclusive, in accordance with section 5124. The state board of health shall from time to time fix the limits of variability permissible in any article of food or drug, or compound, the standard of which is not established by any national pharmacopoeia.

1932 Code, § 5125; Civ. C. '22, § 3452; Civ. C. '12, § 2391; Civ. C. '02, § 1579; 1898 (22) 804.

§ 5126. Persons offering such articles for sale furnish samples for analysis.—Every person offering or exposing for sale, or delivering to a purchaser, any drug or article of food, or spirituous, fermented or malt liquors, included under the provisions of section 5124, shall furnish to any analyst, or other officer or agent appointed hereunder, who shall apply to him for the purpose and shall tender to him the value of the same, a sample sufficient for the purpose of analysis of any such drug or article of food or drink which is in his possession.

1932 Code, § 5126; Civ. C. '22, § 3453; Civ. C. '12, § 2392; Civ. C. '02, § 1580; 1898 (22) 804.

§ 5127. "Food" and "drug" defined.—The term "food" as used in section 5124 shall include every article used for food or drink by man, including all candies, teas, coffees, and spirituous, fermented and malt liquors. The term "drug" as used in section 5124 shall include all medicines for internal or external use.

1932 Code, § 5127; Civ. C. '22, § 3454; Civ. C. '12, § 2393; Civ. C. '02, § 1581; 1898 (22) 804.

§ 5128. Adulterated articles—state board of health may declare certain articles exempt.—An article shall be deemed to be adulterated:

(a) **WHAT DRUGS DEEMED ADULTERATED.**—In the case of drugs:

(1) If when sold under or by a name recognized in the United States pharmacopoeia, it differs from the standard of strength, quality or purity laid down therein.

(2) If, when sold under or by a name not recognized in the United States pharmacopoeia, but which is found in some other pharmacopoeia or other standard work on pharmacopoeia materia medica, it differs materially from the standard of strength, quality or purity laid down in such work.

(3) If its strength or purity falls below the professed standard under which it is sold.

(b) **ADULTERATED FOOD OR DRINK.**—In case of food or drink:

(1) If any substance or substances has or have been mixed with it so as to reduce or lower or injuriously affect its quality or strength.

(2) If any inferior or cheaper substance or substances has or have been substituted wholly or in part for the article.

(3) If any valuable constituent of the article has been wholly or in part abstracted.

(4) If it be an imitation of, or be sold under, the name of another article.

(5) If it consists wholly or in part of a deceased, or decomposed, or putrid, or rotten animal or vegetable substance, whether manufactured or not, or in the case of milk, if it is the produce of a diseased animal.

(6) If it be colored or coated, or polished, or powdered, whereby damage is concealed, or it is made to appear better than it really is, or of greater value.

(7) If it contains any added poisonous ingredient, or any ingredient which may render such article injurious to the health of the person consuming: *provided*, that the state board of health may declare from time to time certain article or preparations to be exempt from the provisions of sections 5124 to 5128: *and provided, further*, that the provisions of sections 5124 to 5128 shall not apply to mixtures or compounds recognized as ordinary articles of food, provided that the same are not injurious to health, and that the articles are distinctly labeled as a mixture, stating the components of the mixture.

(c) **WHAT DEEMED ADULTERATED LIQUORS.**—In the case of spirituous, fermented and malt liquors: if it contains any substance or ingredient not normal or healthful to exist in spirituous, fermented or malt liquors or which may be deleterious or detrimental to health when such liquors are used as a beverage or as a medicine, and if it does not conform in respect to strength and purity required by the laws of this State.

1932 Code, § 5128; Civ. C. '22, § 3455; Civ. C. '12, § 2394; Civ. C. '02, § 1582; 1898 (22) 804.

§ 5128-1. Uniform Narcotic Drug Act.

(1) **Definitions.**—The following words and phrases, as used in §§ 5128-1 thru 5128-21, shall have the following meanings, unless the context otherwise requires:

(1) "Person" includes any corporation, association, co-partnership, or one or more individuals.

(2) "Physician" means a person authorized by law to practice medicine in this state and any other person authorized by law to treat sick and injured human beings in this State and to use narcotic drugs in connection with such treatment.

(3) "Dentist" means a person authorized by law to practice dentistry in this State.

(4) "Veterinarian" means a person authorized by law to practice veterinary medicine in this State.

(5) "Manufacturer" means a person who by compounding, mixing, cultivating, growing, or other process, produces or prepares narcotic drugs, but does not include an apothecary who compounds narcotic drugs to be sold or dispensed on prescriptions.

(6) "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced nor prepared, on official written orders, but not on prescriptions.

(7) "Apothecary" means a licensed pharmacist as defined by the laws of this State and, where the context so requires, the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a licensed pharmacist; but nothing in §§5128-1 thru 5128-21 shall be construed as conferring on a person who is not registered nor licensed as a pharmacist any authority, right, or privilege, that is not granted to him by the pharmacy laws of this State.

(8) "Hospital" means an institution for the care and treatment of the sick and injured, approved by the South Carolina state board of health, as proper to be intrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist, or veterinarian.

(9) "Laboratory" means a laboratory approved by the said state board of health as proper to be intrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific and medical purposes and for the purposes of instruction.

(10) "Sale" includes barter, exchange, or gift, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant, or employee.

(11) "Cocoa leaves" includes cocaine and any compound, manufacture, salt, derivative, mixture, or preparation of cocoa leaves, except derivatives of cocoa leaves which do not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(12) "Opium" includes morphine, codine, and heroin, and any compound, manufacture, salt, derivative, mixture, or preparation of opium, but does not include apomorphine, or any of its salts.

(13) "Narcotic drugs" means cocoa leaves and opium and every substance neither chemically nor physically distinguishable from them, or marihuana, commonly known as indian hemp, or any carmibus preparation.

(14) "Federal narcotic laws" means the laws of the United States relating to opium, cocoa leaves, and other narcotic drugs.

(15) "Official written order" means an order written on a form provided for that purpose by the United States commissioner of narcotics, under any laws of the United States making provision therefor.

(16) "Dispense" includes distribute, leave with, give away, dispose of, or deliver.

(17) "Registry number" means the number assigned to each person registered under the federal narcotic laws.

1934 (38) 1523; 1937 (40) 166.

§ 5128-2. Acts prohibited.—It shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense, or compound any narcotic drug, except as authorized in this statute.
1934 (38) 1523.

§ 5128-3. Manufacturers and wholesalers.—No person shall manufacture, compound, mix, cultivate, grow or by any other process produce or prepare narcotic drugs, and no person as a wholesaler shall supply the same, without having first obtained a license so to do.
1934 (38) 1523.

§ 5128-4. Sale on written orders—use of official written orders—possession lawful.—(1) A duly licensed manufacturer or wholesaler may sell and dispense narcotic drugs to any of the following persons, but only on official written orders:

(a) To a manufacturer, wholesaler, or apothecary.
(b) To a physician, dentist, or veterinarian.
(c) To a person in charge of a hospital, but only for use by or in that hospital.

(d) To a person in charge of a laboratory, but only for use in that laboratory for scientific and medical purposes.

(2) A duly licensed manufacturer or wholesaler may sell narcotic drugs to any of the following persons:

(a) On a special written order accompanied by a certificate or exemption, as required by the federal narcotic laws, to a person in the employ of the United States Government or of any state, territorial, district, county, municipal, or insular government, purchasing, receiving, possessing, or dispensing narcotic drugs by reason of his official duties.

(b) To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed, for the actual medical needs of persons on board such ship or aircraft, then not in port. *Provided:* such narcotic drugs shall be sold to the master of such ship or person in charge of such aircraft only in pursuance of a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States public health service.

(c) To a person in a foreign country if the provisions of the federal narcotic laws are complied with.

(3) An official written order for any narcotic drug shall be signed in duplicate by the person giving said order or by his duly authorized agent. The original shall be presented to the person who sells or dispenses the narcotic drug or drugs named therein. In event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of two years in such a way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of §§ 2158-1 thru 2158-21. It shall be deemed a compliance with this section if the parties to the transaction have complied with the federal narcotic laws, respecting the requirements governing the use of order forms.

(4) Possession of or control of narcotic drugs obtained as authorized by §§ 5128-1 thru 5128-21 shall be lawful if in the regular course of business, occupation, profession, employment, or duty of the possessor.

(5) A person in charge of a hospital or of a laboratory, or in the employ of this State or of any other State, or of any political subdivision thereof, and a master or other proper officer of a ship or aircraft, who obtains narcotic drugs under the provisions of this section or otherwise, shall not administer, nor dispense, nor otherwise use such drugs, within this State, except within the scope of his employment or official duty, and then only for scientific or medicinal purposes and subject to the provisions of this statute.

1934 (38) 1523.

§ 5128-5. Sales by apothecaries.—(a) An apothecary, in good faith, may sell and dispense narcotic drugs to any person upon a written prescription of a physician, dentist, or veterinarian, dated and signed by the person prescribing on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is dispensed, and the full name, address, and registry number under the federal narcotic laws, of the person prescribing, if he is required by those laws to be so registered. If the prescription be for an animal, it shall state the species of animal for which the drug is pre-

scribed. The person filling the prescription shall write the date of filling and his own signature on the face of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this statute. The prescription shall not be refilled.

(b) The legal owner of any stock of narcotic drugs in a pharmacy, upon discontinuance of dealing in said drugs, may sell said stock to a manufacturer, wholesaler, or apothecary, but only on an official written order.

(c) An apothecary, only upon an official written order, may sell to a physician, dentist, or veterinarian, in quantities not exceeding one ounce at any time, aqueous or oleaginous solutions of which the content of narcotic drugs does not exceed a proportion greater than twenty per cent of the complete solution, to be used for medical purposes.

1934 (38) 1523.

§ 5128-6. Professional use of narcotic drugs.—(1) A physician or a dentist, in good faith and in the course of his professional practice only, may prescribe, administer, and dispense narcotic drugs, or he may cause the same to be administered by a nurse or intern under his direction and supervision.

(2) A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense narcotic drugs, and he may cause them to be administered by an assistant or orderly under his direction and supervision.

(3) Any person who has obtained from a physician, dentist, or veterinarian any narcotic drug for administration to a patient during the absence of such physician, dentist, or veterinarian, shall return to such physician, dentist, or veterinarian any unused portion of such drug, when it is no longer required by the patient.

1934 (38) 1523.

§ 5128-7. Preparations exempted.—Except as otherwise in this statute specifically provided, this statute shall not apply to the following cases:

(1) Prescribing, administering, dispensing, or selling at retail of any medical preparation that contains in one fluid ounce, or if a solid or semi-solid preparation, in one avoirdupois ounce, (a) not more than two grains of opium, (b) not more than one-quarter of a grain of morphine or of any of its salts, (c) not more than one grain of codeine or any of its salts, (d) not more than one-eighth of a grain of heroin or any of its salts, (e) and not more than one of the drugs named above in clauses (a), (b), (c), and (d).

(2) Prescribing, administering, dispensing, or selling at retail of liniments, ointments, and other preparations, that are susceptible of external use only and that contain narcotic drugs in such combinations as prevent their being readily extracted from such liniments, ointments, or preparations, except that this statute shall apply to all liniments, ointments, and other preparations, that contain cocoa leaves in any quantity or combination.

(4) Nothing in this section shall be construed to limit the kind and quantity of any narcotic drug that may be prescribed, administered, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, dispensed, or sold, in compliance with the general provisions of this statute.

1934 (38) 1523.

§ 5128-8. Records to be kept.—(1) Every physician, dentist, veterinarian, or other person who is authorized to administer or professionally use narcotic drugs, shall keep a record of such drugs received by him, and a record of all such drugs administered, dispensed, or professionally used by him otherwise than by prescription. It shall, however, be deemed a sufficient compliance with this section if any such person using small quantities of solutions or other preparations of such drugs for local application, shall keep a record of the quantity, character, and potency of such solutions or other preparations purchased or made up by him, and of the dates when purchased or made up, without keeping a record of the amount of such solution or other preparation applied by him to individual patients. *Provided*, that no record need be kept of narcotic drugs administered, dispensed, or professionally used in the treatment of any one patient, when the amount administered, dispensed, or professionally used for the purpose does not exceed in any forty-eight consecutive hours, (a) four grains of opium, or (b) one-half of a grain of morphine or of any of its salts, or (c) two grains of codeine or of any of its salts, or (d) one-fourth of a grain of heroin or of any of its salts, or (e) a quantity of any other narcotic drug or any combination of narcotic drugs that does not exceed in pharmacologic potency any one of the drugs named above in the quantity stated.

(2) Manufacturers and wholesalers shall keep records of all narcotic drugs compounded, mixed, cultivated, grown, or by any other process produced or prepared, and of all narcotic drugs received and disposed of by them, in accordance with the provisions of § 5128-5.

(3) Apothecaries shall keep records of all narcotic drugs received and disposed of by them, in accordance with the provisions of § 5128-5.

(4) Every person who purchases for resale, or who sells narcotic drug preparations exempted by § 5128-7 hereof, shall keep a record showing the quantities and kinds thereof received and sold, or disposed of otherwise, in accordance with the provisions of § 5128-5.

(5) The record of narcotic drugs received shall in every case show the date of receipt, the name and address of the person from whom received, and the kind and quantity of drugs received; the kind and quantity of narcotic drugs produced or removed from process of manufacture, and the date of such production or removal from process of manufacture; and the record shall in every case show the proportion of morphine, cocaine, or ecgonine contained in or producible from crude opium or cocoa leaves received or produced. The record of all narcotic drugs sold, administered, dispensed, or otherwise disposed of, shall show the date of selling, administering, or dispensing, the name and address of the person to whom, or for whose use, or the owner and species of animal for which sold, administered or dispensed, and the kind and quantity of drugs. Every such record shall be kept for a period of two years from the date of the transaction recorded. The keeping of a record required by or under the federal narcotic laws, containing substantially the same information as is specified above, shall constitute compliance with §§ 5128-1 thru 5128-21, except that every such record shall contain a detailed list of narcotic drugs lost, destroyed, or stolen, if any, the kind and quantity of such drugs, and the date of the discovery of such loss, destruction, or theft.

1934 (38) 1523.

§ 5128-9. Labels.—(1) Whenever a manufacturer sells or dispenses a narcotic drug, and whenever a wholesaler sells and dispenses a narcotic drug in a package prepared by him, he shall securely affix to each package in

which that drug is contained a label showing in legible English the name and address of the vender and the quantity, kind, and form of narcotic drug contained therein. No person except an apothecary for the purpose of filling a prescription under this act, shall alter, deface, or remove any label so affixed.

(2) Whenever an apothecary sells or dispenses any narcotic drug on a prescription issued by a physician, dentist, or veterinarian, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name, address, and registry number, or the name, address, and registry number of the apothecary for whom he is lawfully acting; the name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal; the name, address and registry number of the physician, dentist, or veterinarian, by whom the prescription was written; and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed.

1934 (38) 1523.

§ 5128-10. Authorized possession of narcotic drugs by individuals.—A person to whom or for whose use any narcotic drug has been prescribed, sold or dispensed, by a physician, dentist, apothecary, or other person authorized under the provisions of section 5128-4, and the owner of any animal for which any such drug has been prescribed, sold, or dispensed, by a veterinarian, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same.

1934 (38) 1523.

§ 5128-11. Persons and corporations exempted.—(1) The provisions of this statute restricting the possessing and having control of narcotic drugs shall not apply to common carriers or to warehousemen, while engaged in lawfully transporting or storing such drugs, or to any employee of the same acting within the scope of his employment; or to public officers or employees in the performance of their official duties requiring possession or control of narcotic drugs; or to temporary incidental possession by employees or agents of persons lawfully entitled to possession, or by persons whose possession is for the purpose of aiding public officers in performing their official duties.

1934 (38) 1523.

§ 5128-12. Common nuisances.—Any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by narcotic drug addicts for the purpose of using narcotic drugs or which is used for the illegal keeping or selling of the same, shall be deemed a common nuisance. No person shall keep or maintain such common nuisance.

1934 (38) 1523.

§ 5128-13. Narcotic drugs to be delivered to state officials, etc.—All narcotic drugs, the lawful possession of which is not established or the title to which cannot be ascertained, which have come into the custody of a peace officer, shall be forfeited, and disposed of as follows: (a) except as in §§ 5128-1 thru 5128-21 otherwise provided, the court or magistrate having jurisdiction shall order such narcotic drugs forfeited and destroyed. A record of the place where said drugs were seized, of the kinds and quantities of drugs so destroyed, and of the time, place, and manner of

destruction, shall be kept, and a return under oath, reporting said destruction, shall be made to the court or magistrate and to the United States commissioner of narcotics, by the officer who destroys them. (b) Upon written application by the said state board of health, the court or magistrate by whom the forfeiture of narcotic drugs has been decreed may order the delivery of any of them, except heroin and its salts and derivatives, to said state board of health for distribution or destruction, as hereinafter provided. (c) Upon application by any hospital within this State, not operated for private gain, the said state board of health may in its discretion deliver any narcotic drugs that have come into its custody by authority of §§ 5128-1 thru 5128-21 to the applicant for medicinal use. The said state board of health may from time to time deliver excess stocks of such narcotic drugs to the United States commissioner of narcotics, or shall destroy the same. (d) The said state board of health shall keep a full and complete record of all drugs received and for all drugs disposed of, showing the exact kinds, quantities, and forms of such drugs; the persons from whom received and to whom delivered; by whose authority received, delivered and destroyed; and the dates of the receipt, disposal, or destruction, which record shall be open to inspection by all federal and state officers charged with the enforcement of federal and state narcotic laws.

1934 (38) 1523.

§ 5128-14. Send notice of conviction to licensing board—suspend license—reinstatement.—On the conviction of any person of the violation of any provision of this statute, a copy of the judgment and sentence, and of the opinion of the court or magistrate, if any opinion be filed, shall be sent by the clerk of the court, or by the magistrate, to the board or officer, if any, by whom the convicted defendant has been licensed or registered to practice his profession or to carry on his business. On the conviction of any such person, the court may, in its discretion, suspend or revoke the license or registration of the convicted defendant to practice his profession or to carry on his business. On the application of any person whose license or registration has been suspended or revoked, and upon proper showing and for good cause, said board or officer may reinstate such license or registration.

1934 (38) 1523.

§ 5128-15. Records confidential.—Prescriptions, orders, and records, required by §§ 5128-1 thru 5128-21, and stocks of narcotic drugs, shall be open for inspection only to federal, state, county and municipal officers, whose duty it is to enforce the laws of this State or of the United States relating to narcotic drugs. No officer having knowledge by virtue of his office of any such prescription, order, or record shall divulge such knowledge, except in connection with a prosecution or proceeding in court or before a licensing board or officer, to which prosecution or proceeding the person to whom such prescriptions, orders, or records relate is a party.

1934 (38) 1523.

§ 5128-16. Fraud or deceit.—(1) No person shall obtain or attempt to obtain a narcotic drug, or procure or attempt to procure the administration of a narcotic drug, (a) by fraud, deceit, misrepresentation, or subterfuge; or (b) by the forgery or alteration of a prescription or of any written order; or (c) by the concealment of a material fact; or (d) by the use of a false name or the giving of a false address.

(2) Information communicated to a physician in an effort unlawfully to procure a narcotic drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

(3) No person shall wilfully make a false statement in any prescription, order, report, or record, required by this statute.

(4) No person shall, for the purpose of obtaining a narcotic drug, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, apothecary, physician, dentist, veterinarian, or other authorized person.

(5) No person shall make or utter any false or forged prescription or written order.

(6) No person shall affix any false or forged label to a package or receptacle containing narcotic drugs.

(7) The provisions of §§ 5128-1 thru 5128-21 shall apply to all transactions relating to narcotic drugs under the provisions of § 5128-7 in the same way as they apply to transactions under all other sections.

1934 (38) 1523.

§ 5128-17. Exceptions and exemptions not required to be negatived.—In any complaint, information, or indictment, and in any action of proceeding brought for the enforcement of any provision of this statute, it shall not be necessary to negative any exception, excuse, proviso, or exemption, contained in this statute, and the burden of proof of any such exception, excuse, proviso, or exemption, shall be upon the defendant.

1934 (38) 1523.

§ 5128-18. Enforcement and cooperation.—It is hereby made the duty of the said state board of health, its officers, agents, inspectors, and representatives, and of all peace officers within the State, and of all county attorneys, to enforce all provisions of this statute, except those specifically delegated, and to cooperate with all agencies charged with the enforcement of the laws of the United States, of this State, and of all other States, relating to narcotic drugs.

1934 (38) 1523.

§ 5128-19. Penalties.—Any person violating any provision of this statute shall upon conviction be punished, for the first offense, by a fine not exceeding five hundred (\$500.00) dollars, or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment, in the discretion of the court; and for any subsequent offense by a fine of not exceeding two thousand (\$2,000.00) dollars, or by imprisonment not exceeding two (2) years, or by both such fine and imprisonment, in the discretion of the court.

1934 (38) 1523.

§ 5128-20. Effect of acquittal or conviction under federal narcotic laws.—No person shall be prosecuted for a violation of any provision of this statute if such person has been acquitted or convicted under the federal narcotic laws of the same act or omission which, it is alleged, constitutes a violation of this statute.

1934 (38) 1523.

§ 5128-21. Interpretation—uniform narcotic drug law.—This statute shall be so interpreted and construed as to effectuate its general purpose, to make uniform the laws of those States which enact it. This statute may be cited as the Uniform Narcotic Drug Law.

1934 (38) 1523.

§ 5128-25. Sale, barter, exchange, giving or possessing of barbiturates.

(1) Prescription necessary—packaging—acts misdemeanor.—Any person, firm or corporation selling, bartering, exchanging or giving away any of that general class of synthetic drugs commonly known as barbiturates or their compounds except upon the written prescription of a licensed physician, or the prescription of a person authorized to prescribe narcotic drugs, shall be deemed guilty of a misdemeanor. Any person so dispensing such drugs or their compounds upon such prescription shall upon so dispensing same place same in a container with the name and address of the person prescribing same and the name and address of the person, firm or corporation dispensing same plainly printed or written thereon, and any person dispensing such drugs or their compounds without so doing shall be deemed guilty of a misdemeanor. Any person other than a licensed physician, licensed dentist, licensed veterinarian or person authorized to prescribe narcotic drugs who shall be found in possession of such synthetic drugs, or their compounds without being in a container upon which the name and address of the person prescribing same and/or without the name and address of the person, firm or corporation dispensing same shall be deemed guilty of a misdemeanor. *Provided*, that compounds containing not more than one-fourth ($\frac{1}{4}$) of the standard dose of barbituric acid preparation which in combination with active medicinal ingredient or ingredients the activity of which will preclude the use of the compound to obtain the full effect of the barbituric acid preparation shall be exempt from the provision of this section. "Standard dose", as used herein shall be such as is listed in the "Pharmacopoeia", and if not listed in the "Pharmacopoeia", then as listed in the book "New and Non-Official Remedies", and if not listed in either the "Pharmacopoeia" or the "New and Non-Official Remedies", then a standard dose shall be the average dose recommended by the manufacturer of the compound: *provided, further*, that nothing hereing contained shall prevent the selling, bartering, exchanging, or giving away of barbiturates, or barbiturate compounds, to retail or wholesale druggists, licensed physicians, licensed dentists and licensed veterinarians, without such written prescription; *provided, further*, that nothing in this section shall be construed to prohibit or limit licensing physicians, licensed dentists, and licensed veterinarians from dispensing barbiturates and barbiturate compounds in the regular course of their practice, except, however, upon any such barbiturate or barbiturate compound being dispensed by a licensed physician, licensed dentist or licensed veterinarian, so much of such barbiturate or barbiturate compound not to be consumed in the presence of such person so dispensing same shall be placed in a container in the manner as provided hereinabove.

(2) Retain prescriptions for 3 years.—Any person, firm or corporation selling, bartering, exchanging or giving away barbiturates or barbiturate compound, upon prescription as herein required, shall retain such prescription for a period of three (3) years from the date of receiving same and exhibit same to the state board of health, or any officer or employee thereof, upon demand.

(3) Enforcement.—It shall be the duty of the state board of health to supervise the enforcement of this section and, in so doing, shall at least once every twelve (12) months require retail and wholesale druggists in this State to submit to it, under oath, statements showing the amount of barbiturates and barbiturate compounds not exempt by this section received and disposed of by them during some specified time. Said statements may also include such other information as said board deems advisable in aiding it to carry out the provisions, purposes and intents of this section. Said board of health, its officers and agents, shall at all times have access to

the books and records of such druggist to the end that it may be ascertained that such statements are true. Any person, firm or corporation willfully refusing to give the required information requested by the state board of health or to give it, its officers and agents, access to their books and records, as above required, shall be deemed guilty of a misdemeanor.

(4) Penalties.—Any person found guilty of a misdemeanor under the provisions of this section shall be punished by a fine not exceeding five hundred (\$500.00) dollars or imprisonment not exceeding eighteen (18) months, or both, in the discretion of the court.

1937 (40) 194; 1939 (41) 390.

§ 5128-26. Distribution and sale of dangerous caustic or corrosive substances.

(1) Definitions.—The term "dangerous caustic or corrosive substance" means each and all of the acids, alkalis, and substances named below: (a) hydrochloric acid and any preparation containing free or chemically unneutralized hydrochloric acid (HCL) in a concentration of ten per centum or more; (b) sulphuric acid and any preparation containing free or chemically unneutralized sulphuric acid (H_2SO_4) in a concentration of ten per centum or more; (c) nitric acid or any preparation containing free or chemically unneutralized nitric acid (HNO_3) in a concentration of five per centum or more; (d) carbolic acid, otherwise known as phenol, and any preparation containing carbolic acid or phenol in a concentration of five per centum or more; (e) oxalic acid and any preparation containing free or chemically unneutralized oxalic acid ($\text{H}_2\text{C}_2\text{O}_4$) in a concentration of ten per centum or more; (f) any salt of oxalic acid and any preparation containing any such salt in a concentration of ten per centum or more; (g) acetic acid or any preparation containing free or chemically unneutralized acetic acid ($\text{HC}_2\text{H}_3\text{O}_2$) in a concentration of twenty per centum or more; (h) hypochlorous acid, either free or combined, including calx chlorinata, bleaching powder, chloride of lime, chlorinated soda, and chlorinated potash, and any preparation containing any of the aforesaid substances so as to yield a concentration of ten per centum or more of available chlorine; (i) potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide (KOH), including caustic potash and vienna paste, in a concentration of ten per centum or more; (j) sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide (NaOH), including caustic soda and lye, in a concentration of ten per centum or more; (k) silver nitrate, sometimes known as lunar caustic, and any preparation containing silver nitrate (AgNO_3) in a concentration of five per centum or more; (l) ammonia water and any preparation yielding free or chemically uncombined ammonia (NH_3), including ammonium hydroxide and "Hartshorn," in a concentration of five per centum or more; and (m) any other alkali, acid, salt, or preparation thereof having caustic or corrosive properties equivalent to those of any of the alkalis, acids, salts and preparations named above.

The term "misbranded parcel, package, or container," means a retail parcel, package, or container of any dangerous caustic or corrosive substance for household use, not bearing a conspicuous, easily legible label or sticker, containing (a) the name of the article; (b) the name and place of business of the manufacturer, packer, seller, or distributor; (c) the word "POISON," running parallel with the main body of reading matter on said label or sticker, on a clear plain background of a distinctly contrasting color, in uncondensed gothic capital letters, the letters to be not less than 24 point size unless there is on said label no other type so large, in

which event the type shall be not smaller than the largest type on the label, and (d) directions for treatment in case of accidental personal injury by the dangerous caustic or corrosive substance.

(2) Sale, offer, etc., of caustic or corrosive substance in misbranded package.—No person shall sell, barter, or exchange, or receive, hold, pack, display, or offer for sale, barter, or exchange in the State of South Carolina any dangerous caustic or corrosive substance in a misbranded parcel, package, or container, said parcel, package, or container being designed for household use.

(3) Misbranded packages subject to confiscation.—Any dangerous caustic or corrosive substance in a misbranded parcel, package, or container for household use, that is being sold, bartered, or exchanged, or held, displayed, or offered for sale, barter, or exchange, shall be liable to be proceeded against in any magistrate's court, and seized for a confiscation in a manner provided by law, and if such substance is condemned as misbranded, by said court, it shall be disposed of by destruction or sale, as the court may direct; and if sold, the proceeds less the actual costs and charges shall be paid over to the magistrate, but such substance shall not be sold contrary to the provisions of the laws of the State: *provided, however*, that upon the payment of the costs of such proceedings and the execution and delivery of a good and sufficient bond to the effect that such substance will not be unlawfully sold or otherwise disposed of, the court may by order direct that such substance be delivered to the owner thereof. Such proceedings shall conform as near as may be to the law providing for confiscating goods exposed for sale on Sunday.

(4) Penalties—enforcement.—Any person violating the provisions of this section shall upon conviction thereof be punished by a fine of not more than one hundred (\$100.00) dollars, or by imprisonment for not more than ninety days, or by both such fine and imprisonment, in the discretion of the court. The sheriff, deputy sheriffs and other peace officers shall enforce the provisions of this section, and he, or they are hereby authorized and empowered to approve and register such brands and labels intended for use under the provisions of this section as may be submitted to him for that purpose and as may in his judgment conform to the requirements of this statute: *provided, however*, that in any prosecution under this section the fact that any brand or label involved in said prosecution has not been submitted to said sheriff or deputy sheriffs or peace officers to whom there is presented, or who in any way procures, satisfactory evidence of any violation of the provisions of this section shall cause appropriate proceedings to be commenced and prosecuted, without delay, for the enforcement of the penalties as in such cases herein provided.

1932 Code, § 1451; 1924 (33) 1127.

§ 5128-27. Manufacture or sell impure food or drugs prohibited.

(1) Drugs and food defined—punishment.—It shall be unlawful for any person to manufacture or sell, or offer for sale, any article of food or drug which is adulterated or misbranded, within the meaning of this section, and any person who shall violate any of the provisions of this section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding fifteen days for the first offense, and one hundred dollars, or thirty days' imprisonment, for each subsequent offense. The term "drug," as used in this section, shall include all medicines and preparations recognized in the United States pharmacopoeia or national formulary or United States dispensatory, for internal or external use, and any substance or mixture of

substances intended to be used for the cure, mitigation or prevention of disease of either man or other animals. The term "food," as used herein, shall include all articles used for food, drink, confectionery, or condiment by man or other animals, whether simple, mixed, or compound. For the purpose of this section, an article shall be deemed to be adulterated:

(2) When an article shall be deemed adulterated in the case of drugs and flavoring extract.—If, when a drug or flavoring extract sold under or by a name recognized in the United States pharmacopoeia or national formulary or United States dispensatory, it differs from or does not conform to the standard of strength, quality, or purity, as determined by the test laid down in the United States pharmacopoeia, or national formulary or United States dispensatory official at the time of investigation.

IN THE CASE OF CONFECTIONERY.—If it contains terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous color of flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt, or spirituous liquors, compound, or narcotic drug.

IN THE CASE OF FOOD.—

First. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is conveyed.

Fifth. If it contain any added poisonous or other added deleterious ingredient, which may render such article injurious to health: *provided*, that when in the preparation of food products for shipment they are preserved by an external application, applied in such a manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservative shall be printed on the covering or the package, the provisions of this section shall be construed as applying only when said products are ready for consumption. Non-alcoholic drink shall be deemed to be adulterated: If it contains any boric acid or borate salicylic acid or salicylate, formaldehyde, hydrofluoric acid of fluoride, fluoborate, fluosilicate, or other fluorine compound, dulcin, glucin, saccharin, betanaphthol, hydronaphthol, abrastol, asaprol, compound of copper, pyroligneous acid, uncertified coal-tar dye, saponin derived from soap bark, or other substance deleterious or injurious to health.

Sixth. If it consists in whole or in part of a filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter.

(3) "Misbranded" defined.—The term "misbranded," as used herein, shall apply to all drugs or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design or device regarding such article, or the ingredients or substances contained therein, which shall be false or misleading in any particular and to any food or drug which is falsely branded as to the State, territory or county in which it is manufactured or produced. That for the purposes of this section, an article shall also be deemed to be misbranded:

IN THE CASE OF DRUGS.—First. If it be an imitation of or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been

placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha-, or beta-encaine, chloroform, cannabis indica, chloral hydrate acetanilide, or any derivative or preparation of any such substances contained therein: *provided*, that the package contains more than two grains of opium, or more than one-quarter grain of morphine, or more than one-quarter grain of heroin, or more than ten grains of chloral hydrate in one fluid ounce or, if a solid preparation in one avoirdupois ounce: *provided, further*, that nothing in this paragraph shall be construed to apply to the filling of written prescriptions, furnished by regular licensed practicing physicians, and kept on file by druggists as required by law, or as to such preparations as are specified and recognized by the United States pharmacopoeia or national formulary or United States dispensatory, which are in accordance therewith.

IN THE CASE OF FOOD.—First. If it be an imitation of or offered for sale under the distinctive name of another article.

Second. If it is labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha- or beta- encaine, chloroform, cannabis indica, chloral hydrate, acetanilide, or any derivative, or preparation of any such substances contained therein.

Third. If in package form, and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package.

Fourth. If the package containing it, or its label, shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or misleading in any particular: *provided*, that an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

(4) When not misbranded.—First. In the case of mixtures or compounds, which may be now, or from time to time hereafter, known as articles of food, under their own distinctive names, and not in imitation of, or offered for sale under, the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article has been manufactured or produced.

Second. In the case of articles labeled, branded or tagged so as to plainly indicate that they are compounds, imitations or blends, and the word "compound," "imitation" or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: *provided*, that the term blend, as used herein, shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only: *and provided, further*, that nothing in this section shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods, which contain no unwholesome added ingredient, to disclose their trade formulas, except in so far as the provisions of this section may require to secure freedom from adulteration or misbranding.

(5) No dealer to be prosecuted when he produces a guaranty from manufacturer.—No dealer shall be prosecuted under the provisions of this section when he can establish a guaranty, signed by the wholesaler, jobber, manufacturer or other party residing in the United States, from whom he

purchases such articles, to the effect that the same is not adulterated or misbranded, within the meaning of this section, designating it.

(6) Department of agriculture to enforce.—For the purpose of carrying out the provisions of this section, the commissioner of agriculture, and all inspectors and chemists employed under the Commercial Feed Stuffs Act, shall take cognizance of the interests of the public health, as it relates to the sale of food, drugs, spirituous, fermented and malt liquors, and the adulteration thereof, and make all necessary inquiries and investigations relating thereto and shall take such action in the courts as provided for; the commissioner shall adopt such measures as he may deem necessary to facilitate the enforcement of this section; and shall prepare in cooperation with the state board of health, and issue, when approved by the state board of health, rules and regulations with regard to the proper method of collecting and examining drugs and articles of food. The commissioner and his assistants designated, shall also be charged with the enforcement of sections 5806-32, 5129-2 to 5129-9, and of such other regulations relating to food and drugs as the state board of health may issue under the authority of any other act or law.

1932 Code, § 1452; Cr. C. '22, § 398; Cr. C. '12, § 406; 1904 (24) 531; 1907 (25) 528; 1913 (28) 35; 1917 (30) 51; 1924 (33) 971.

Rules and Regulations issued by Department of Agriculture

(Filed secretary state's office May 3, 1940.)

Regulation 1. The sale of condensed skimmed milk is allowed, but it shall be unlawful to sell the said condensed skimmed milk except under the following regulations: In addition to the compliance with all existing laws, the said condensed skimmed milk to be sold in packages or containers, containing not less than one gallon, which packages or containers shall be hermetically sealed at the time of sale; also that at the stores, groceries, shops or places where such condensed skimmed milk is sold, a sign printed or painted in black letters on white background, and on which the letters are at least five (5) inches high and worded as follows, must be displayed:

CONDENSED SKIMMED MILK SHOULD NOT BE FED TO BABIES, CHILDREN OR INVALIDS. IT IS LACKING IN FOOD VALUE.

Regulation 2. All flour, that has been bleached by any of the various processes, offered for sale in the State of South Carolina after July 1, 1912, must be clearly and distinctly labelled in letters of not less than ½" in height as follows:

"BLEACHED"

The said labels should appear on each and every sack containing bleached product and shall be placed immediately above or below the name of the product.

Regulation 3. The name of manufacturer or producer, or person responsible for the food product and the place where manufactured must be given on the label. The name and address of bottler should appear on bottles, showing either by whom or for whom product is bottled.

§ 5128-28. Arsenate of lead, calcium arsenate, or poisonous agricultural insecticide or fungicide of a white color to be discolored.

(1) Sell or possess.—Any person or firm or corporation shall not offer for sale, or expose for sale, or have in possession any arsenate of lead, calcium arsenate or any poisonous agricultural insecticide or fungicide of a white color unless the said poisons are discolored by thoroughly mixing with them not less than one (1%) per cent by weight of finely divided lamp black or an adequate quantity of some other discoloring material not injurious to plants.

(2) Commissioner of agriculture to enforce.—The commissioner of agriculture may promulgate and issue all necessary rules and regulations to carry into effect the full meaning and intent of this section. He may call

to his assistance all peace officers to enforce the provisions of this section.

(3) **Unlawful to sell or possess unless discolored.**—It shall be unlawful for any person or firm or corporation to sell, offer or expose for sale or have in possession for sale, any such poison unless the same be first discolored in the manner above required.

(4) **Penalties.**—Any person or firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than three hundred dollars or imprisonment for a period not exceeding six months.

(5) **Confiscate if not discolored—sale.**—Any poison described in subsection one hereof offered or exposed for sale or in possession for sale or sold by any firm, person or corporation without being first discolored as required by subsection one shall be subject to seizure by and confiscation to the State, and after discoloration shall then be sold under such rules as may be promulgated by the commissioner of agriculture of the State of South Carolina.

1932 (37) 1469; 1933 (38) 235.

ARTICLE 4-A

Milk and Milk Products

- | | |
|---|--|
| 5129. Purchasers of milk or cream on butter-fat basis retain sample inspection—penalties. | prohibited. |
| 5129-1. Manufacture and sale of ice cream and other milk products. | 5129-9. Hotels and restaurants using imitations to advertise the same. |
| 5129-2. Sale of milk, butter and cheese. | 5129-10. Certificate of analysis prima facie evidence. |
| 5129-3. Coloring matter in substitutes for butter or cheese prohibited. | 5129-11. Use of bottles, kegs, etc., of others in trade. |
| 5129-4. Combinations of certain ingredients with butter or cheese prohibited. | 5129-12. Traffic in milk cans or defacing marks thereon, unlawful. |
| 5129-5. When manufacture and sale of imitation butter or cheese prohibited. | 5129-13. To secure bottles to retail dealers in milk. |
| 5129-6. Substitutes to be so marked. | 5129-14. Unlawful to dispose of certain used milk bottles—acceptance of deposits. |
| 5129-7. Possession of unmarked imitations prohibited. | 5129-15. Additional provisions relating to use, sale, exchange and shipping of milk bottles, milk cans and milk bottle crates. |
| 5129-8. Sale of imitation butter or cheese | |

§ 5129. Purchasers of milk or cream on butter-fat basis retain sample—inspection—penalties.—All persons, firms or corporations in the State of South Carolina purchasing milk or cream for manufacture, sale or shipment, and paying for the same on the basis of the butter-fat contained therein, as determined by test, shall take or cause to be taken in such places where the said milk or cream is purchased or tested, a representative sample of all such milk or cream, and if any be left on hand after a shipment is made, a representative sample of this shall likewise be taken. Such sample shall be not less than two ounces avoirdupois in weight and shall be immediately transferred to a clean and dry sample jar and properly sealed to prevent evaporation and the escape of any of the contents thereof. All samples of milk or cream so taken shall be plainly marked or labeled and such mark or label shall be entered upon the records of the purchaser to correspond with the name of the person or persons from whom such purchase was made, together with the weight of the milk or cream, if any, which is left on hand after shipment is made. Said samples shall then be protected from extremes of heat and cold and held until 5:00

p. m. of the following day, except that all such samples taken on a day preceding a holiday shall be held until 5:00 p. m. of the next day following such a holiday. During the said period mentioned said samples shall be subject to inspection by the department of agriculture, and shall be opened only in the presence of the commissioner of said department or his duly authorized representatives. Any person, firm or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$100.00, or by imprisonment for a period not exceeding thirty days for each and every offense so committed.

1932 Code, 5129; 1930 (36) 1351; 1936 (39) 1615; 1941 (42) 119.

§ 5129-1. Manufacture and sale of ice cream and other milk products.

(1) **Definitions.**—For the purpose and within the meaning of this section the following definitions shall obtain:

(a) "Frozen desserts" means ice cream, frozen custard, ice milk, milk sherbet, ice or ice sherbet and imitation ice cream as defined herein.

(b) "Milk products" means pure, clean and wholesome cream, pure milk fat, butter, milk, evaporated milk, skimmed milk, condensed milk, sweetened condensed milk, condensed skimmed milk, sweetened condensed skimmed milk, dried milk, dried skimmed milk.

(c) "Ice cream" means the pure, clean, frozen product made from a combination of two or more of the following ingredients: milk products, eggs, water, and sugar with harmless flavoring and with or without harmless coloring, and with or without added stabilizer, composed of wholesome edible material. It contains not more than one-half of one per centum by weight of stabilizer, not less than ten per centum by weight of milk fat, and not less than eighteen per centum by weight of total milk solids, including milk fat, except when fruit, nuts, cocoa or chocolate, maple syrup, cakes of confections are used for the purpose of flavoring, then it shall contain not less than ten per centum by weight of milk fat and not less than eighteen per centum by weight of total milk solids, including milk fat, except for such reduction in milk fat and in total milk solids, as is due to the addition of such flavoring, but in no such case shall it contain less than sixteen per centum by weight of milk fat nor less than sixteen per centum by weight of total milk solids, including milk fat. In no case shall any ice cream contain less than one and six-tenths pound of total food solids per gallon, and must weigh not less than four and one-fourths pounds to the gallon.

(d) "Frozen custard" means French ice cream, French custard ice cream, ice custard, parfaits and similar frozen products. Frozen custard is a clean, wholesome product made from a combination of two or more of the following ingredients, milk products, water and sugar with harmless flavoring and with or without harmless coloring and with or without added stabilizer composed of wholesome edible material. It contains not more than one-half of one per centum by weight of stabilizer, not less than ten per centum by weight of milk fat, not less than eighteen per centum by weight of total milk solids. Frozen custard shall contain not less than five dozen of clean, wholesome egg yolk, or one and five-tenths pounds of wholesome dry egg yolk containing not to exceed seven per centum of moisture, or three pounds of wholesome frozen egg yolk containing not to exceed fifty-five per centum of moisture, or the equivalent of egg yolk in any other form, for each ninety pounds of frozen custard. In no case shall any frozen custard contain less than one and six-

tenths pounds of total food solids per gallon, and must weigh not less than four and one-fourths pounds to the gallon.

(e) "Milk sherbet" means the pure, clean, frozen product made from milk products, water and sugar, with harmless fruit or fruit juice flavoring and with or without harmless coloring, with not less than 0.35 of one per centum of acid, as determined by titrating with standard alkali and expressed as lactic acid, and with or without added stabilizer composed of wholesome edible material. It contains not less than four per centum or more than six per centum by weight of milk solids, and must weigh not less than four and one-fourths pounds to the gallon.

(f) "Ice or ice sherbet" means the pure, clean, frozen product made from water and sugar with harmless fruit or fruit juice flavoring and with or without harmless coloring, with not less than 0.35 of one per centum of acid, as determined by titrating with standard alkali and expresses as lactic acid, and with or without added stabilizer composed of wholesome edible material. It contains no milk solids.

(g) "Imitation ice cream" means any frozen substance, mixture, or compound, regardless of the name under which it is represented, which is made in imitation or semblance of ice cream, or is prepared or frozen as ice cream is customarily prepared or frozen, and which is not ice cream, frozen custard, sherbet or ice as defined in this section.

(2) Annual licenses for manufacturers of frozen desserts.

(a) APPLICATION.—Every manufacturer of frozen desserts produced for sale shall, during the month of February in each year, file with the department of agriculture an application for a license upon a form prescribed by the department of agriculture. The application must show that the frozen desserts manufactured by the applicant are composed of pure and wholesome ingredients and are produced under sanitary conditions. The application shall also show the location of each plant at which frozen desserts are to be manufactured and the name of the brand, or brands, if any, under which the same are to be sold. The license period shall be for twelve months beginning March first.

(b) COST.—The license herein provided shall be issued without cost to the applicant.

(c) ISSUANCE.—The department of agriculture, if satisfied that the manufacturing plant or plants named in the application are maintained in accordance with the standards of sanitation prescribed in the rules and regulations promulgated under the authority of this article shall issue a license for the manufacture of frozen desserts. No license shall be issued if any statement in the application is false or misleading, or if the brand name or any label or advertisement of the frozen dessert involved in the application gives a false indication of origin, character, composition, or name of manufacturer, or is otherwise false or misleading in any particular.

(d) REVOKE OR SUSPEND.—Any license may be revoked by the department of agriculture, after notice to the licensee by mail or otherwise an opportunity to be heard, when and if it appears that any statement upon which it was issued was false or misleading, or that any frozen dessert manufactured by the licensee is adulterated or misbranded, or is manufactured in a plant not maintained in accordance with the standards of sanitation prescribed in the rules and regulations promulgated under the authority of this section, or that the brand name or any label or advertising of any frozen dessert manufactured by the licensee gives a false indication of origin, character, composition, or name of manufacturer, or is otherwise false or misleading in any particular. A license may also, after

such notice and hearing, be suspended for any of the foregoing reasons until the licensee complies with the conditions prescribed by the department of agriculture, commerce and industry for its reinstatement.

(e) **CIRCUIT COURT REVIEW REVOCATION, SUSPENSION, OR REFUSAL TO GRANT—APPEAL.**—The action of the department of agriculture in refusing to grant a license, or in revoking or suspending a license, shall be subject to review by the court of common pleas in the county where the aggrieved party resides, with right of appeal to the state Supreme Court.

(3) **Sale.**—(1) No person shall sell, advertise or offer or expose for sale any frozen dessert manufactured in this State unless the manufacturer thereof is a licensee under the provisions of this article.

(2) No person shall sell, offer for sale or advertise for sale any frozen dessert, if the brand name of the frozen dessert or the label upon it or the advertising accompanying it shall give a false indication of origin, character, composition, or name of manufacturer, or is otherwise false or misleading in any particular.

(3) No person shall sell, advertise or offer or expose for sale any imitation ice cream.

(4) No person shall sell, advertise or offer or expose for sale a frozen dessert if it contains any fats, oils, or paraffin other than milk fats, except such fats or oils as are naturally contained in the flavors used.

(4) **Pasteurize milk.**—All milk and milk products used in the manufacture of ice cream, frozen custard, or sherbet, or the entire mix with or without flavor or color, shall be pasturized in accordance with rules and regulations to be adopted as hereinafter provided.

(5)—**Selling from falsely labeled containers—misrepresenting manufacturer—concealing name of owners on cans, etc.—selling from containers containing other articles.**—(1) No person shall sell or offer or expose for sale frozen desserts in any container which is falsely labeled as to the name of the manufacturer or in any other respect.

(2) No person shall misrepresent in any manner the name of the manufacturer or frozen desserts.

(3) No person, other than the owner, shall remove, erase, obliterate, cover, or conceal the owner's name or any distinguishing mark or device which may appear to be placed on any cabinet, can, container or other equipment.

(4) It shall be unlawful if it is offered for sale from any container, compartment, or cabinet which contains any article other than ice cream, custard ice cream, French ice cream, French custard, frozen custard, sherbet, ice or fruit ice.

(6) **Enforcement.**—The department of agriculture is charged with the enforcement of the provisions of this section and shall from time to time, after inquiry and public hearing, adopt and promulgate rules and regulations to supplement and give full effect to the provisions of this section. Such rules and regulations, among other things, shall establish sanitary regulations pertaining to the manufacture and distribution of frozen desserts, including the sanitary condition of buildings, grounds, and equipment where frozen desserts are manufactured, the sanitary conditions of persons in direct physical contact with frozen dessert during manufacture, the sanitary condition of containers in which frozen desserts are held or shipped and the sanitary conditions of premises, buildings, surroundings and equipment where frozen desserts are sold. Such rules and regulations shall be filed and open for public inspection at the principal office of the department, and shall have the force of law.

(7) **Exemptions.**—Nothing contained in this section shall be construed to apply to ice cream and similar frozen products manufactured and sold by social, fraternal, charitable, educational, religious or beneficent organizations, nor to a farmer making and selling from the products of his farm ice cream, custard ice cream, French ice cream, French custard, frozen custard, sherbet, that the standards of purity and equality prescribed by this section are maintained in all cases of manufacture and sale permitted by the provisions of this section.

(8) **Penalties—disposition.**—(1) Any person, association, partnership, or corporation violating any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than twenty-five (\$25.00) dollars, nor more than one hundred (\$100.00) dollars.

(2) All fines and penalties, imposed and recovered for the violation of any of the provisions of this section, shall be paid to the department of agriculture, and when so collected and paid, shall thereafter be, by the department of agriculture paid into the state treasury.

1934 (38) 1603; 1941 (42) 119.

§ 5129-2. Sale of milk, butter and cheese.—It shall not be lawful for any person or corporation or agent knowingly to sell or expose for sale, or deliver for domestic use, or to be converted into any product of human food whatsoever, any unclean, impure, unwholesome, adulterated or skimmed milk, or milk from which has been held back what is known as strippings, or milk taken from an animal having disease, sickness, ulcers, or abscesses: *provided*, that this section shall not prohibit the sale of buttermilk or of skimmed milk when sold as such. For the purposes of this section, milk which is proven by any reliable test or analysis to contain less than three per centum of butter-fat and eight and one-half per cent of solids other than butter-fat, shall be regarded as skimmed milk. For the purposes of this section, every article, substance, or compound, other than produced wholly from pure milk, or cream from the same, made in semblance of butter or of cheese, and designed to be used as a substitute for butter or cheese made from pure milk or cream from the same, is hereby declared to be imitation butter or imitation cheese, as the case may be: *provided*, the use of salt, rennet and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation.

1932 Code, § 1455; Cr. C. '22, § 401; Cr. C. '12, § 411; Cr. C. '02, § 308; 1896 (22) 215.

§ 5129-3. Coloring matter in substitutes for butter or cheese prohibited.—No person shall coat, powder or color with annatto or any coloring matter whatever any substance designed to be used as a substitute for butter or for cheese, whereby such substance or product shall be caused to resemble butter or cheese, the product of pure milk or cream.

1932 Code, § 1456; Cr. C. '22, § 402; Cr. C. '12, § 412; Cr. C. '02, § 309; 1896 (22) 215.

§ 5129-4. Combinations of certain ingredients with butter or cheese prohibited.—No person shall combine any animal fat or vegetable oil or other substance with butter or cheese, or combine with butter or cheese, or with animal fat or vegetable oil or combination of the two, or any other substance or substances whatever, any annatto or any other coloring matter for the purpose or with the effect of imparting thereto a yellow color, or any shade of yellow, or that such substance shall resemble genuine yellow butter or cheese, nor introduce any such coloring matter or any such sub-

stance into any of the ingredients of which such substitute may be composed: *provided*, that nothing in this or the three preceding sections shall be construed to prohibit the use of salt, rennet or harmless coloring matter for coloring the products of pure milk or cream from the same.

1932 Code, § 1457; Cr. C. '22, § 403; Cr. C. '12, § 413; Cr. C. '02, § 310; 1896 (22) 215.

§ 5129-5. When manufacture and sale of imitation butter or cheese prohibited.—No person shall by himself, or employee, or agents, produce or manufacture, or sell, or keep for sale, or offer for sale, any imitation butter or imitation cheese made or compounded in violation of this or the four preceding sections, whether such imitation shall have been made or produced in this State or elsewhere: *provided*, that said sections shall not be construed to prohibit the manufacture and sale of imitation butter or imitation cheese under the regulations hereinafter provided, not manufactured or colored as herein prohibited.

1932 Code, § 1458; Cr. C. '22, § 404; Cr. C. '12, § 414; Cr. C. '02, § 311; 1896 (22) 215.

§ 5129-6. Substitutes to be so marked.—Every person who lawfully manufactures any substance designed to be used as a substitute for butter or for cheese shall mark by branding, stamping or stenciling upon the top side of each tub, box or other vessel in which such substitute shall be kept, or in which it shall be removed from the place where produced, in a clear and durable manner, in the English language, the words, "substitute for butter," or "substitute for cheese," as the case may be, in printed letters in plain roman type, each of which shall be not less than one inch in height and one-half inch in breadth.

1932 Code, § 1459; Cr. C. '22, § 405; Cr. C. '12, § 415; Cr. C. '02, § 312; 1896 (22) 215.

§ 5129-7. Possession of unmarked imitations prohibited.—No person shall have in his possession or control any substance designed to be used as a substitute for butter or for cheese, unless the tub, box, or other vessel containing the same shall be clearly and durably marked as provided in section 5129-6: *provided*, that this section shall not apply to a person who has such imitation butter or imitation cheese in his possession for the actual consumption of himself or family.

1932 Code, § 1460; Cr. C. '22, § 406; Cr. C. '12, § 416; Cr. C. '02, § 313; 1896 (22) 215.

§ 5129-8. Sale of imitation butter or cheese prohibited.—No person, by himself, or agent or employee, shall sell or offer for sale any imitation butter or imitation cheese under the pretense that the same is genuine butter or genuine cheese.

1932 Code, § 1461; Cr. C. '22, § 407; Cr. C. '12, § 417; Cr. C. '02, § 314; 1896 (22) 215.

§ 5129-9. Hotels and restaurants using imitations to advertise the same.—No keeper or proprietor of any hotel or restaurant, or other person having charge thereof, shall knowingly use, or serve therein, either as food or for cooking purposes, any imitation butter or cheese, as defined in section 5129-2, unless such keeper, proprietor or other person in charge of such place of entertainment shall keep constantly posted in a conspicuous place in the room or rooms, or other place or places where such imitations shall be served, so that the same may be easily seen and read by any person in such room or place, a white card, not less than ten by fourteen inches in size, on which shall be printed in the English language, in plain black roman letters, not smaller than one inch in height and one-half inch in width, the words, "imitation butter used here," or "imitation cheese used

here," as the case may be, and the cards shall not contain any other impressions than the words above prescribed.

1932 Code, § 1462; Cr. C. '22, § 408; Cr. C. '12, § 418; Cr. C. '02, § 315; 1896 (22) 215.

§ 5129-10. Certificate of analysis prima facie evidence.—Any person violating any provisions of sections 5129-2 to 5129-9 shall be guilty of a misdemeanor, and may be proceeded against by any of the processes provided for misdemeanors, and may be tried by any court having jurisdiction of misdemeanors in this State, and, upon conviction, shall be punished by a fine not to exceed one hundred (\$100.00) dollars and not less than ten (\$10.00) dollars. The sworn certificate or a certified official report of the chemist of the department of agriculture of the analysis of a suspected sample shall be recognized in any and all courts of this State as prima facie evidence of such analysis and of the composition and character of such sample.

1932 Code, § 1463; Cr. C. '22, § 409; Cr. C. '12, § 419; Cr. C. '02, §§ 316, 317; 1896 (22) 216; 1917 (30) 50; 1941 (42) 119.

§ 5129-11. Use of bottles, kegs, etc., of others in trade.—It shall be unlawful for any person engaged in the business of manufacturer, bottler or dealer in beer, soda water, or mineral waters, to use in the course of his business, any kegs, boxes, crates or bottles owned by any other person engaged in such business and rendered capable of identification by the name of the owner or other distinguishing marks stamped, stenciled, engraved, cut or in any other manner fixed thereon, without the consent of such owner in writing. No person, firm or corporation shall trade or traffic in any such boxes, crates, boxes, bottles, jugs, kegs or other such vessels, except for the consumption of said beer, soda water or mineral waters placed therein by the owners. Any violation of this section shall be deemed a misdemeanor, punishable by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than thirty days, or both, at the discretion of the court for each offense.

1932 Code, § 1343; Cr. C. '22, § 232; Cr. C. '12, § 526; 1902 (23) 1103.

§ 5129-12. Traffic in milk cans or defacing marks thereon, unlawful.

(1) **Use of marked cans.**—It is hereby declared to be unlawful for any person or persons, without the consent of the agent of the owner or owners, or shipper or shippers, to use, or sell, dispose of, buy or traffic in any milk or cream can or cans, belonging to any dealer or dealers, or shipper or shippers of milk or cream residing in the State of South Carolina or elsewhere, who may ship milk or cream to any city, town or place within this State, having the name or initials of the owner or owners, or such dealer or dealers, or shipper or shippers stamped, marked or fastened on such can or cans, or to wilfully mar, erase or change by re-marking or otherwise, said name or initials of any such owner or owners, or dealer or dealers, or shipper or shippers so stamped, marked or fastened upon said can or cans.

(2) **Possession without consent, presumptive evidence.**—The fact of any person or persons without the consent of the agent of, or the owner or owners, dealer or dealers, shipper or shippers thereof, either using, selling, disposing of, buying, trafficking in, or having in his, her or their possession or under his, her, or their control any such milk or cream can or cans, shall be presumptive evidence of the unlawful use, sale, purchase of or traffic in such can or cans.

(3) **Penalty.**—Any person or persons who shall, in violation of this section, either use, sell, dispose of, buy, traffic in or have in his, her or their possession, any such can or cans, or who shall wilfully mar, erase or change by re-marking or otherwise the said initials of any such owner or owners, dealer or dealers, shipper or shippers so stamped, marked or fastened upon said can or cans, as in this section provided, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding one hundred (\$100.00) dollars, nor less than ten (\$10.00) dollars, or by imprisonment not exceeding thirty days.

1932 Code, § 1346; Cr. C. '22, § 236; 1918 (30) 846.

§ 5129-13. Secure bottles to retail dealers in milk.

(1) **Purpose.**—The purpose of this section is to secure, to such extent as may be possible, to retail dealers in milk their milk bottles or containers and to prevent their collection and sale by irresponsible persons to other milk dealers.

(2) **Unlawful to use stamped bottles of other dealers in milk in same county—exceptions.**—That it shall be unlawful for any person, firm or corporation regularly engaged in the retail sale of milk, either on his own account or in a representative capacity for some other, to use in such business bottles or other containers wherein or whereon is indelibly stamped or fixed the name or trademark of some other person, firm or corporation likewise engaged in the same county in the retail sale of milk, unless the same shall have been acquired by such person, firm or corporation from the one whose name or trademark is impressed upon such bottle or container, or unless he has the written permission of such one to use the same.

(3) **Penalty for violation.**—Any person, firm or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than five (\$5.00) dollars nor more than fifty (\$50.00) dollars or to imprisonment of not less than five (5) days nor more than fifteen (15) days.

1932 Code, § 1347; 1931 (37) 312.

§ 5129-14. Unlawful to dispose of certain used milk bottles—acceptance of deposits.—No person, firm or corporation shall buy, sell, barter, trade or offer for sale any second-hand or used milk bottles in the State of South Carolina, except such person, firm or corporation own and have in his, their or its possession such milk bottles on March 20, 1930: *provided*, that it shall be lawful for any dairyman or milk depot or merchant offering for sale milk to accept deposits on milk bottles and redeem same, and hold in exchange all milk bottles received in sale and purchase of milk, both wholesale and retail. Any person, firm or corporation demanding the return of all lettered bottles containing their or its name or trade name, from any other dairyman or wholesale or retail milk dealer shall give in exchange therefor one plain bottle for each lettered bottle: *provided*, that nothing herein shall prevent any dairyman or milk dealer from disposing of his used bottles in case of his going out of business. Any person violating the provisions of this law shall be punished by a fine not exceeding one hundred (\$100.00) dollars, or imprisonment not exceeding thirty (30) days for each offense.

1932 Code, § 1348; 1930 (36) 1198.

§ 5129-15. Additional provisions relating to use, sale, exchange and shipping of milk bottles, milk cans and milk bottle crates.

(1) **Use only own.**—It shall be unlawful for any person, firm or corporation to bottle milk or other dairy products in any bottle not the property

of such person, firm or corporation, or to use milk bottles, milk cans or milk bottle crates not the property of such person, firm or corporation.

(2) **Dealers sell, exchange or ship.**—It shall be unlawful for any person, firm or corporation to collect, have or possess milk bottles, milk cans or milk bottle crates for sale or for exchange for a consideration or for shipment within the State of South Carolina, or from the State of South Carolina, excepting only wholesale and retail dealers in milk bottles, milk cans and milk bottle crates who pay a license to the city or town in which they operate and who purchase milk bottles, milk cans and milk bottle crates from the manufacturers or their representatives for the purpose of resale to dairymen and persons operating milk depots.

(3) **Time possess.**—It shall be further unlawful for any person, firm or corporation to retain possession of any milk bottles, milk cans or milk bottle crates not his, her or its property for a period longer than seven (7) days: *provided, however*, that this subsection shall not apply to any retail consumer who purchased the milk which came in any such bottle.

(4) **Not place offensive material in milk containers.**—It shall be unlawful for any person, firm or corporation to place or permit to be placed in any milk container designed to be again used in the production, sale or delivery of milk or other dairy products in the State of South Carolina and the police jurisdiction of same, swill, offal, kerosene, gasoline, food products other than milk, coal dust, ashes, or other offensive material.

(5) **Penalties.**—Any person, firm or corporation violating the provisions of subsection 4 of this section shall be punished upon conviction by a fine of not exceeding \$100.00 or imprisonment not exceeding 30 days, and any person, firm or corporation violating any other provision of this section shall be punished upon conviction by a fine not exceeding \$200.00 or imprisonment not exceeding 60 days, either or both, or any portion of either or both, in the discretion of the court.

CUMULATIVE.—This section shall be in addition to all other laws for the protection to the owners of milk bottles, milk cans and milk bottle crates.

1937 (40) 401.

No. 12.

MILK AND MILK PRODUCTS

Section 1. Definitions.—The following definitions shall apply in the interpretation and the enforcement hereof:

A. Milk.—Milk is hereby defined to be the lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within 15 days before and 5 days after calving, or such longer period as may be necessary to render the milk practically colostrum free; which contains not less than 8 percent of milk solids not fat, and not less than $3\frac{1}{4}$ percent of milk fat.

B. Milk fat or butter fat.—Milk fat or butter fat is the fat of milk.

C. Cream and sour cream.—Cream is a portion of milk which contains not less than 18 percent milk fat. Sour cream is cream the acidity of which is more than 0.20 percent, expressed as lactic acid.

D. Skimmed milk.—Skimmed milk is milk from which a sufficient portion of milk fat has been removed to reduce its milk-fat percentage to less than $3\frac{1}{4}$ percent.

E. Milk or skimmed-milk beverage.—A milk beverage or a skimmed-milk beverage is a food compound or confection consisting of milk or skimmed milk, as the case may be, to which has been added a sirup or flavor consisting of wholesome ingredients.

F. Buttermilk.—Buttermilk is a product resulting from the churning of milk or cream, or from the souring or treatment by a lactic acid or other culture of milk, skimmed milk, reconstituted skimmed milk, evaporated or condensed milk or skimmed milk, or milk or skimmed-milk powder. It contains not less than 8 percent of milk solids not fat.

G. Vitamin D milk.—Vitamin D milk is milk the vitamin D content of which has been increased by a method and in an amount approved by the health officer.

H.—Reconstituted or recombined milk and cream.—Reconstituted or recombined milk is a product resulting from the recombining of milk constituents with water, and which complies with the standards for milk fat and solids not fat of milk as

defined herein. Reconstituted or recombined cream is a product resulting from the combination of dried cream, butter, or butter fat with cream, milk, skimmed milk, or water.

I. Goat milk--Goat milk is the lacteal secretion, free from colostrum, obtained by the complete milking of healthy goats, and shall comply with all the requirements of these Regulations. The word "cows" shall be interpreted to include goats.

J. Homogenized milk--Homogenized milk is milk which has been treated in such manner as to insure break-up of the fat globules to such an extent that after 48 hours storage no visible cream separation occurs on the milk and the fat percentage of the top 100 cc. of milk in a quart bottle, or of proportionate volumes in containers of other sizes, does not differ by more than 5 percent of itself from the fat percentage of the remaining milk as determined after thorough mixing.

K. Milk products--Milk products shall be taken to mean and include cream, sour cream, homogenized milk, goat milk, vitamin D milk, buttermilk, skimmed milk, reconstituted or recombined milk and cream, milk beverages, skimmed-milk beverages, and any other product made by the addition of any substance to milk or any of these products and used for similar purposes and designated as a milk product by the health officer.

L. Pasteurization--The terms "pasteurization," "pasteurized," and similar terms shall be taken to refer to the process of heating every particle of milk or milk products to at least 143° F., and holding at such temperature for at least 30 minutes, or to at least 160° F., and holding at such temperature for at least 15 seconds, in approved and properly operated equipment: *provided*, that nothing contained in this definition shall be construed as debarring any other process which has been demonstrated to be equally efficient and is approved by the state health officer.

M. Adulterated milk and milk products--Any milk or milk product which contains any unwholesome substance, or which if defined in these Regulations does not conform with its definition, or which carries a grade label unless such grade label has been awarded by the health officer and not revoked, shall be deemed adulterated and misbranded.

N.—Milk producer--A milk producer is any person who owns or controls one or more cows a part or all of the milk or milk products from which is sold or offered for sale.

O. Milk distributor--A milk distributor is any person who offers for sale or sells to another any milk or milk products for human consumption as such.

P. Dairy or dairy farm--A dairy or dairy farm is any place or premises where one or more cows are kept a part or all of the milk or milk products from which is sold or offered for sale.

Q. Milk plant--A milk plant is any place or premises or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution.

R. Health officer--The term "health officer" shall mean the state health officer or his authorized representative.

S. Average bacterial plate count, direct microscopic count, reduction time, and cooling temperature--Average bacterial plate count and average direct microscopic count shall be taken to mean the logarithmic average, and average reduction time and average cooling temperature shall be taken to mean the arithmetic average, of the respective results of the last four consecutive samples, taken upon separate days, irrespective of the date of grading or regrading.

T. Grading period--The grading period shall be such period of time as the health officer may designate within which grades shall be determined for all milk and milk products, provided that the grading period shall in no case exceed 6 months.

U. Person--The word "person" as used in these Regulations shall mean "person, firm, corporation, or association."

V. And/or--Where the term "and/or" is used "and" shall apply where possible, otherwise "or" shall apply.

Section 2. The sale of adulterated, misbranded, or ungraded milk or milk products prohibited--No person shall within the State, produce, sell, offer, or expose for sale, or have in possession with intent to sell, any milk or milk product which is adulterated, misbranded, or ungraded. It shall be unlawful for any person, elsewhere than in a private home, to have in possession any adulterated, misbranded, or ungraded milk or milk product.

Section 3. Permits--It shall be unlawful for any person to bring into or receive into the State for sale, or to sell, or offer for sale therein, or to have in storage where milk or milk products are sold or served, any milk or milk product defined in these Regulations, who does not possess a permit from the health officer.

Only a person who complies with the requirements of these Regulations shall be entitled to receive and retain such a permit.

Such a permit may be suspended by the health officer, or revoked after an opportunity for a hearing by the health officer, upon the violation by the holder of any of the terms of these rules and regulations.

Section 4. Labeling and placarding--All bottles, cans, packages, and other containers enclosing milk or any milk product defined in these rules and regulations shall be plainly labeled or marked with (1) the name of the contents as given in the definitions in these rules and regulations; (2) the grade of the contents; (3) the word "pasteurized" only if the contents have been pasteurized; (4) the word "raw" only if the contents are raw; (5) the phrase "for pasteurization" if the contents are to be pasteurized; (6) the name of the producer if the contents are raw, and the name of the plant at which the contents were pasteurized, if the contents are pasteurized; and (7) in the case of vitamin D milk, the designation "Vitamin D Milk" and the source of the vitamin D. The label or mark shall be in letters of a size, kind, and color approved by the health officer and shall contain no marks or words which are misleading.

Every restaurant, cafe, soda fountain, or other establishment serving milk or milk products shall display at all times, in a place designated by the health officer, a notice approved by the health officer, stating the lowest grade of milk and/or milk products served.

Section 5. Inspection of dairy farms and milk plants for the purpose of grading or regrading--At least once during each grading period the health officer shall inspect all dairy farms and all milk plants whose milk or milk products are intended for consumption within the State. In case the health officer discovers the violation of any item of sanitation, he shall make a second inspection after a lapse of such time as he deems necessary for the defect to be remedied, but not before the lapse of 3 days; and the second inspection shall be used in determining the grade of milk and/or milk products. Any violation of the same item of these rules and regulations on two consecutive inspections shall call for immediate degrading.

One copy of the inspection report shall be posted by the health officer in a conspicuous place upon an inside wall of one of the dairy farm or milk plant buildings, and said inspection report shall not be defaced or removed by any person except the health officer. Another copy of the inspection report shall be filed with the records of the health department.

Section 6. The examination of milk and milk products--During each grading period at least four samples of milk and cream from each dairy farm and each milk plant shall be taken on separate days and examined by the health officer. Samples of other milk products may be taken and examined by the health officer as often as he deems necessary. Samples of milk and milk products from stores, cafes, soda fountains, restaurants, and other places where milk or milk products are sold shall be examined as often as the health officer may require. Bacterial plate counts and direct microscopic counts shall be made in conformity with the latest standard methods recommended by the American Public Health Association. Examinations may include such other chemical and physical determinations as the health officer may deem necessary for the detection of adulteration, these examinations to be made in accordance with the latest standard methods of the American Public Health Association and the Association of Official Agricultural Chemists. Samples may be taken by the health officer at any time prior to the final delivery of the milk or milk products. All proprietors of stores, cafes, restaurants, soda fountains, and other similar places shall furnish the health officer, upon his request, with the names of all distributors from whom their milk and milk products are obtained. Bio-assays of the vitamin D content of vitamin D milk shall be made when required by the health officer in a laboratory approved by him for such examinations.

Whenever the average bacterial count, the average reduction time, or the average cooling temperature falls beyond the limit for the grade then held, the health officer shall send written notice thereof to the person concerned, and shall take an additional sample, but not before the lapse of 3 days, for determining a new average in accordance with section 1 (S). Violation of the grade requirement by the new average or by any subsequent average during the remainder of the current grading period shall call for immediate degrading or suspension of the permit, unless the last individual result is within the grade limit.

Section 7. The grading of milk and milk products--At least once every 6 months the health officer shall announce the grades of all milk and milk products delivered by all producers or distributors and ultimately consumed within the State. Said grades shall be based upon the following standards, the grading of milk products being identical with the grading of milk except that the bacterial standards shall be doubled in the case of cream, and omitted in the case of sour cream and butter-milk. Vitamin D milk shall be only of grade A or grade B pasteurized, certified, or grade A raw quality.

Certified milk-raw--Certified milk-raw is raw milk which conforms with the requirements of the American Association of Medical Milk Commission in force at the time of production and is produced under the supervision of the state board of health.

Grade A raw milk--Grade A raw milk the average bacterial plate count of which as determined under sections 1 (S) and 6 herein does not exceed 50,000 per cubic centimeter, or the average direct microscopic count of which does not exceed 50,000 per cubic centimeter if clumps are counted or 200,000 per cubic centimeter if individual organisms are counted, or the average reduction time of which is not less than 8 hours: *provided*, that if it is to be pasteurized the corresponding limits shall be 200,000 per cubic centimeter, 200,000 per cubic centimeter, 800,000 per cubic centimeter, and 6 hours, respectively; and which is produced upon dairy farms conforming with all of the following items of sanitation.

Item 1r. Cows, tuberculosis and other diseases--Except as provided hereinafter, a tuberculin test of all herds and additions thereto shall be made before any milk therefrom is sold, and at least once every 12 months thereafter, by a licensed veterinarian approved by the State livestock sanitary department. Said tests shall be made and any reactors disposed of in accordance with the requirements approved by the United States department of agriculture, bureau of animal industry, for accredited herds. A certificate signed by the veterinarian or attested to by the health officer and filed with the health officer shall be evidence of the above test: *provided*, that in modified accredited counties in which the modified accredited area plan is applied to the dairy herds the modified accredited area system approved by the United States bureau of animal industry shall be accepted in lieu of annual testing.

Within 5 years after the adoption of these Regulations all milk and milk products consumed raw shall be from herds or additions thereto which have been found free from Bang's disease, as shown by blood serum tests for agglutinins against brucella abortus made in a laboratory approved by the health officer. All such herds shall be retested at least every 12 months and all reactors removed from the herd. A certificate identifying each animal by number, and signed by the laboratory making the test, shall be evidence of the above test.

Cows which show an extensive or entire induration of one or more quarters of the udder upon physical examination, whether secreting abnormal milk or not, shall be permanently excluded from the milking herd. Cows giving bloody, stringy, or otherwise abnormal milk, but with only slight induration of the udder, shall be excluded from the herd until re-examination shows that the milk has become normal.

For other diseases such tests and examinations as the health officer may require shall be made at intervals and by methods prescribed by him, and any diseased animals or reactors shall be disposed of as he may require.

Item 2r. Dairy barn, lighting--A dairy or milking barn shall be required and in such sections thereof where cows are milked windows shall be provided and kept clean and so arranged as to insure adequate light properly distributed, and when necessary shall be provided with adequate supplementary artificial light.

Item 3r. Dairy barn, air space and ventilation--Such sections of all dairy barns where cows are kept or milked shall be well ventilated and shall be so arranged as to avoid overcrowding.

Item 4r. Dairy barn, floors--The floors and gutters of such parts of all dairy barns in which cows are milked shall be constructed of concrete or other approved impervious and easily cleaned material, *provided* that if the milk is to be pasteurized tight wood may be used, shall be graded to drain properly, and shall be kept clean and in good repair. No horses, pigs, fowl, calves, etc., shall be permitted in parts of the barn used for milking.

Item 5r. Dairy barn, walls and ceilings--The walls and ceilings of all dairy barns shall be whitewashed once each year or painted once every 2 years, or oftener, if necessary, or finished in an approved manner, and shall be kept clean and in good repair. In case there is a second story above that part of the barn in which cows are milked, the ceiling shall be tight. If the feed room adjoins the milking space, it shall be separated therefrom by a dust-tight partition and door. No feed shall be stored in the milking portion of the barn.

Item 6r. Dairy barn, cowyard--All cowyards shall be graded and drained as well as practicable and kept clean.

Item 7r. Manure disposal--All manure shall be removed and stored or disposed of in such manner as best to prevent the breeding of flies therein or the access of cows to piles thereof.

Item 8r. Milk house or room, construction--There shall be provided a milk house or milk room in which the cooling, handling, and storing of milk and milk products and the washing, bactericidal treatment, and storing of milk containers and utensils

shall be done. (a) The milk house or room shall be provided with a tight floor constructed of concrete or other impervious material, in good repair, and graded to provide proper drainage. (b) It shall have walls and ceilings of such construction as to permit easy cleaning, and shall be well painted or finished in an approved manner. (c) It shall be well lighted and ventilated. (d) It shall have all openings effectively screened including outward-opening, self-closing doors, unless other effective means are provided to prevent the entrance of flies. (e) It shall be used for no other purposes than those specified above except as may be approved by the health officer; shall not open directly into a stable or into any room used for domestic purposes; shall, unless the milk is to be pasteurized, have water piped into it; shall be provided with adequate facilities for the heating of water for the cleaning of utensils; shall be equipped with two-compartment stationary wash and rinse vats, except that in the case of retail raw milk, if chlorine is employed as the principal bactericidal treatment, the three-compartment type must be used; and shall, unless the milk is to be pasteurized, be partitioned to separate the handling of milk and the storage of cleansed utensils from the cleaning and other operations, which shall be so located and conducted as to prevent any contamination of the milk or of cleaned equipment.

Item 9r. Milk house or room, cleanliness and flies--The floors, walls, ceilings, and equipment of the milk house or room shall be kept clean at all times. All means necessary for the elimination of flies shall be used.

Item 10r. Toilet--Every dairy farm shall be provided with one or more sanitary toilets conveniently located and properly constructed, operated, and maintained, so that the waste is inaccessible to flies and does not pollute the surface soil or contaminate any water supply.

Item 11r. Water supply--The water supply for the milk room and dairy barn shall be properly located, constructed, and operated, and shall be easily accessible, adequate, and of a safe sanitary quality.

Item 12r. Utensils, construction--All multi-use containers or other utensils used in the handling, storage, or transportation of milk or milk products must be made of smooth nonabsorbent material and of such construction as to be easily cleaned, and must be in good repair. Joints and seams shall be soldered flush. Woven wire cloth shall not be used for straining milk. All milk pails shall be of a smallmouth design approved by the health officer. The manufacture, packing, transportation, and handling of single-service containers and container caps and covers shall be conducted in a sanitary manner.

Item 13r. Utensils, cleaning--All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk and milk products must be thoroughly cleaned after each usage.

Item 14r. Utensils, bactericidal treatment--All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk or milk products shall between each usage be subjected to an approved bactericidal process with steam, hot water, chlorine, or hot air.

Item 15r. Utensils, storage--All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall be stored so as not to become contaminated before being used.

Item 16r. Utensils, handling--After bactericidal treatment no container or other milk or milk product utensil shall be handled in such manner as to permit any part of any person or his clothing to come in contact with any surface with which milk or milk products come in contact.

Item 17r. Milking, udders and teats, abnormal milk--The udders and teats of all milking cows shall be clean and rinsed with a bactericidal solution at the time of milking. Abnormal milk shall be kept out of the milk supply and shall be so handled and disposed of as to preclude the infection of the cows and the contamination of milk utensils.

Item 18r. Milking, flanks--The flanks, bellies, and tails of all milking cows shall be free from visible dirt at the time of milking.

Item 19r. Milkers' hands--Milkers' hands shall be clean, rinsed with a bactericidal solution, and dried with a clean towel immediately before milking and following any interruption in the milking operation. Wethand milking is prohibited. Convenient facilities shall be provided for the washing of milkers' hands.

Item 20r. Clean clothing--Milkers and milk handlers shall wear clean outer garments while milking or handling milk, milk products, containers, utensils, or equipment.

Item 21r. Milk stools--Milk stools shall be kept clean.

Item 22r. Removal of milk--Each pail of milk shall be removed immediately to the milk house or straining room. No milk shall be strained or poured in the dairy barn.

Item 23r. Cooling--Milk must be cooled immediately after completion of milking to 50° F. or less, and maintained at that average temperature, as defined in section 1 (L), until delivery. If milk is delivered to a milk plant or receiving station for pasteurization or separation, it must be delivered within 2 hours after completion of milking or cooled to 70° F. or less and maintained at that average temperature until delivered.

Item 24r. Bottling and capping--Milk and milk products shall be bottled from a container with a readily cleanable valve, or by means of an approved bottling machine. Bottles shall be capped by machine. Caps or cap stock shall be purchased in sanitary containers and kept therein in a clean dry place until used.

Item 25r. Personnel, health--The health officer or a physician authorized by him shall examine and take a careful morbidity history of every person connected with a retail raw dairy, or about to be employed, whose work brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable diseases likely to be transmitted through milk, he shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by him for such examinations, and if the results justify such person shall be barred from such employment.

Such persons shall furnish such information, submit to such physical examinations, and submit such laboratory specimens as the health officer may require for the purpose of determining freedom from infection.

Item 26r. Miscellaneous--All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun and from contamination. All vehicles used for the transportation of milk or milk products in their final delivery containers shall be constructed with permanent tops and with permanent or roll-down sides and back, provided that openings of the size necessary to pass the delivery man may be permitted in the sides or back for loading and unloading purposes. All vehicles shall be kept clean, and no substance capable of contaminating milk or milk products shall be transported with milk or milk products in such manner as to permit contamination. All vehicles used for the distribution of milk or milk products shall have the name of the distributor prominently displayed.

The immediate surroundings of the dairy shall be kept in a neat, clean condition.

Grade B Raw Milk--Grade B raw milk is raw milk which violates the bacterial standard and/or the abortion testing requirement for grade A raw milk, but which conforms with all other requirements for grade A raw milk, and has an average bacterial plate count not exceeding 1,000,000 per cubic centimeter, or an average direct microscopic count not exceeding 1,000,000 per cubic centimeter if clumps are counted or 4,000,000 per cubic centimeter if individual organisms are counted, or an average reduction time of not less than 3½ hours, as determined under sections 1 (S) and 6.

Grade C Raw Milk--Grade C raw milk is raw milk which violates any of the requirements for grade B raw milk.

Certified Milk-Pasteurized--Certified milk-pasteurized is certified milk-raw which has been pasteurized, cooled, and bottled in a milk plant conforming with the requirements for grade A pasteurized milk.

Grade A Pasteurized Milk--Grade A pasteurized milk is grade A raw milk, with such exceptions as are indicated if the milk is to be pasteurized, which has been pasteurized, cooled, and bottled in a milk plant conforming with all of the following items of sanitation and the average bacterial plate count of which at no time after pasteurization and until delivery exceeds 30,000 per cubic centimeter, as determined under sections 1 (S) and 6.

The grading of a pasteurized-milk supply shall include the inspection of receiving and collecting stations with respect to items 1p to 15p, inclusive, and 17p, 19p, 22p, 23p, except that the partitioning requirement of item 5p shall not apply.

Item 1p. Floors--The floors of all rooms in which milk or milk products are handled or stored or in which milk utensils are washed shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained, provided with trapped drains, and kept clean.

Item 2p. Walls and Ceilings--Walls and ceilings of rooms in which milk or milk products are handled or stored or in which milk utensils are washed shall have a smooth, washable, light-colored surface, and shall be kept clean.

Item 3p. Doors and Windows--Unless other effective means are provided to prevent the access of flies, all openings into the outer air shall be effectively screened and doors shall be self-closing.

Item 4p. Lighting and Ventilation--All rooms shall be well lighted and ventilated.

Item 5p. Miscellaneous Protection from Contamination--The various milk-plant operations shall be so located and conducted as to prevent any contamination of the milk or of the cleaned equipment. All means necessary for the elimination of flies shall be used. There shall be separate rooms for (a) the pasteurizing, processing, cooling, and bottling operations, and (b) the washing and bactericidal treatment of containers. Cans of raw milk shall not be unloaded directly into the pasteurizing room. Pasteurized milk or milk products shall not be permitted to come in contact with equipment with which unpasteurized milk or milk products have been in contact, unless such equipment has first been thoroughly cleaned and subjected to bactericidal treatment. Rooms in which milk, milk products, cleaned utensils, or containers are handled or stored shall not open directly into any stable or living quarters. The pasteurization plant shall be used for no other purposes than the processing of milk and milk products and the operations incident thereto, except as may be approved by the health officer.

Item 6p. Toilet facilities--Every milk plant shall be provided with toilet facilities conforming with the rules and regulations of the State. Toilet rooms shall not open directly into any room in which milk, milk products, equipment, or containers are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be of a sanitary type constructed and operated in conformity with the requirements of item 10r, grade A raw milk.

Item 7p. Water supply--The water supply shall be easily accessible, adequate, and of a safe, sanitary quality.

Item 8p. Hand-washing facilities--Convenient hand-washing facilities shall be provided, including warm running water, soap, and approved sanitary towels. The use of a common towel is prohibited.

Item 9p. Sanitary piping--All piping used to conduct milk or milk products shall be "sanitary milk piping" of a type which can be easily cleaned with a brush. Pasteurized milk and milk products shall be conducted from one piece of equipment to another only through sanitary milk piping.

Item 10p. Construction and repair of containers and equipment--All multi-use containers and equipment with which milk or milk products come in contact shall be constructed in such manner as to be easily cleaned and shall be kept in good repair. The manufacture, packing, transportation, and handling of single-service containers and container caps and covers shall be conducted in a sanitary manner.

Item 11p. Disposal of wastes--All wastes shall be properly disposed of.

Item 12p. Cleaning and bactericidal treatment of containers and equipment--All milk and milk products containers and equipment, except single-service containers, shall be thoroughly cleaned after each usage. All containers shall be subjected to an approved bactericidal process after each cleaning and all equipment immediately before each usage. When empty and before being returned to a producer by a milk plant each container shall be effectively cleaned and subjected to bactericidal treatment.

Item 13p. Storage of containers and equipment--After bactericidal treatment all bottles, cans, and other multi-use milk or milk-products containers and equipment shall be stored in such manner as to be protected from contamination.

Item 14p. Handling of containers and equipment--Between bactericidal treatment and usage, and during usage, containers and equipment shall not be handled or operated in such manner as to permit contamination of the milk.

Item 15p. Storage of caps, parchment paper, and single-service containers--Milk-bottle caps or cap stock, parchment paper for milk cans, and single-service containers shall be purchased and stored only in sanitary tubes and cartons, and shall be kept therein in a clean dry place.

Item 16p. Pasteurization--Pasteurization shall be performed as described in section 1 (L) of these rules and regulations.

Item 17p. Cooling--All milk and milk products received for pasteurization shall immediately be cooled in approved equipment to 50° F. or less and maintained at that temperature until pasteurized, unless they are to be pasteurized within 2 hours after receipt; and all pasteurized milk and milk products shall be immediately cooled in approved equipment to an average temperature of 50° F. or less, as defined in section 1 (S) and maintained thereat until delivery.

Item 18p. Bottling--Bottling of milk and milk products shall be done at the place of pasteurization in approved mechanical equipment.

Item 19p. Overflow milk--Overflow milk or milk products shall not be sold for human consumption.

Item 20p. Capping--Capping of milk and milk products shall be done by approved mechanical equipment. Hand capping is prohibited. The cap or cover shall cover the pouring lip to at least its largest diameter.

Item 21p. Personnel, health--The health officer or a physician authorized by him shall examine and take a morbidity history of every person connected with a pasteurization plant, or about to be employed, whose work brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable diseases likely to be transmitted through milk, he shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by him or by the State health authorities for such examinations, and if the results justify such person shall be barred from such employment.

Such persons shall furnish such information, submit to such physical examinations, and submit such laboratory specimens as the health officer may require for the purpose of determining freedom from infection.

Item 22p. Personnel, cleanliness--All persons coming in contact with milk, milk products, containers, or equipment shall wear clean outer garments and shall keep their hands clean at all times while thus engaged.

Item 23p. Miscellaneous--All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun and from contamination. All vehicles used for the transportation of milk or milk products in their final delivery containers shall be constructed with permanent tops and with permanent or roll-down sides and back, provided that openings of the size necessary to pass the delivery man may be permitted in the sides or back for loading and unloading purposes. All vehicles shall be kept clean, and free from any substance capable of contaminating milk or milk products in such manner as to permit contamination. All vehicles used for the distribution of milk or milk products shall have the name of the distributor prominently displayed.

have the name of the distributor prominently displayed.

The immediate surroundings of the milk plant shall be kept in a neat, clean condition.

Grade B pasteurized milk--Grade B pasteurized milk is pasteurized milk which violates the bacterial standard for grade A pasteurized milk and/or the provisions of lip-cover caps of item 20p and/or the requirement that grade A raw milk be used, but which conforms with all other requirements for grade A pasteurized milk, has been made from raw milk of not less than grade B quality, and has an average bacterial plate count after pasteurization and before delivery not exceeding 50,000 per cubic centimeter, as determined under sections 1 (S) and 6.

Grade C pasteurized milk--Grade C pasteurized milk is pasteurized milk which violates any of the requirements for grade B pasteurized milk.

Section 8.—Grades of milk and milk products which may be sold--From and after the date on which these rules and regulations take effect no milk or milk products shall be sold to the final consumer or grocery stores, or similar establishments except A, B, and C raw, A and B pasteurized and certified; *provided*, that when any milk distributor fails to qualify for one of the above grades the health officer is authorized to revoke his permit, or in lieu thereof to degrade his product and permit its sale during a temporary period not exceeding 30 days or in emergencies such longer period as he may deem necessary.

Section 9. Supplementary grading prescribed and regrading authorized--If at any time between the regular announcements of the grades of milk or milk products, a lower grade shall become justified, in accordance with sections 5, 6, and 7 of these rules and regulations, the health officer shall immediately lower the grade of such milk or milk products, and shall enforce proper labeling and placarding thereof.

Any producer or distributor of milk or milk products, the grade of which has been lowered by the health officer, and who is properly labeling his milk and milk products, may at any time make application for the regrading of his product.

Upon receipt of a satisfactory application, in case the lowered grade is the result of an excessive average bacterial plate count, direct microscopic count, reduction time, or cooling temperature, the health officer shall take further samples of the applicant's output, at a rate of not more than two samples per week. The health officer shall regrade the milk or milk products upward whenever the average of the last four sample results indicates the necessary quality, but not before the lapse of 2 weeks from the date of degrading.

In case the lowered grade of the applicant's product is due to a violation of an item of the specifications prescribed in section 7, other than average bacterial plate count, direct microscopic count, reduction time, or cooling temperature, the said application must be accompanied by a statement signed by the applicant to the effect that the violated item of the specifications has been conformed with. Within 1 week of the receipt of such an application and statement the health officer shall make a reinspection of the applicant's establishment, and thereafter as many addi-

tional reinspections as he may deem necessary to assure himself that the applicant is again complying with the higher grade requirements, and, in case the findings justify, shall regrade the milk or milk products upward, but not before the lapse of 2 weeks from the date of degrading.

Section 10. Transferring or dipping milk; delivery containers; handling of more than one grade; delivery of milk at quarantined residences--Except as permitted in this section, no milk producer or distributor shall transfer milk or milk products from one container to another on the street, or in any vehicle or store, or in any place except a bottling or milk room especially used for that purpose. The sale of dip milk is hereby prohibited.

All pasteurized milk and milk products shall be placed in their final delivery containers in the plant in which they are pasteurized, and all raw milk and milk products sold for consumption in the raw state shall be placed in their final delivery containers at the farm at which they are produced. Milk and milk products sold in the distributor's containers in quantities less than 1 gallon shall be delivered in standard milk bottles or in single-service containers. It shall be unlawful for hotels, soda fountains, restaurants, groceries, and similar establishments to sell or serve any milk or milk product except in the original container in which it was received from the distributor or from a bulk container equipped with an approved dispensing device: *provided*, that this requirement shall not apply to cream consumed on the premises, which may be served from the original bottle or from a dispenser approved for such service.

It shall be unlawful for any hotel, soda fountain, restaurant, grocery, or similar establishment to sell or serve any milk or milk products which have not been maintained, while in its possession, at a temperature of 50° F. or less.

No milk or milk products shall be permitted to come in contact with equipment with which a lower grade of milk or milk products has been in contact unless such equipment has first been thoroughly cleaned and subjected to bactericidal treatment.

Bottled milk or milk products, if stored in water, shall be so stored that the tops of the bottles will not be submerged.

It shall be the duty of all persons to whom milk or milk products are delivered to clean thoroughly the containers in which such milk or milk products are delivered before returning such containers. Apparatus, containers, equipment, and utensils used in the handling, storage, processing, or transporting of milk or milk products shall not be used for any other purpose without the permission of the health officer.

The delivery of milk or milk products to and the collection of milk or milk-products containers from residences in which cases of communicable disease transmissible through milk supplies exist shall be subject to the special requirements of the health officer.

Section 11. Milk and milk products from points beyond the limits of routine inspection--Milk and milk products from points beyond the limits of routine inspection of the State may not be sold in the State unless produced and/or pasteurized under provisions equivalent to the requirements of these regulations: *provided*, that the health officer shall satisfy himself that the health officer having jurisdiction over the production and processing is properly enforcing such provisions.

Section 12. Future dairies and milk plants--All dairies and milk plants from which milk or milk products are supplied to the State which are hereafter constructed, reconstructed, or extensively altered shall conform in their construction to the requirements of these regulations for grade A and B dairy farms producing milk for consumption in the raw state, or for grade A pasteurization plants, respectively: *provided*, that the requirement of a two-room milk house shall be waived in the case of dairies the milk from which is to be pasteurized. Properly prepared plans for all dairies and milk plants which are hereafter constructed, reconstructed, or extensively altered shall be submitted to the health officer for approval before work is begun. In the case of milk plants signed approval shall be obtained from the health officer, and/or the state health department.

Section 13. Notification of disease--Notice shall be sent to the health office immediately by any producer or distributor of milk or milk products upon whose dairy farm or in whose milk plant any infectious, contagious, or communicable disease occurs.

Section 14. Procedure when infection suspected--When suspicion arises as to the possibility of transmission of infection from any person concerned with the handling of milk or milk products, the health officer is authorized to require any or all of the following measures: (1) The immediate exclusion of that person from milk handling, (2) the immediate exclusion of the milk supply concerned from distribution and use, (3) adequate medical and bacteriological examination of the person, of his associates, and of his and their body discharges.

Section 15. Enforcement interpretation.—These rules and regulations shall be enforced by the health officer in accordance with the interpretations thereof contained in the 1939 edition of the United States public health service milk code, a certified copy of which shall be on file in the office of the secretary of state.

The State Board of Health recommends that municipalities adopt the State Milk ordinance with the following exceptions in Section 8: Grades of milk to be sold: A grade raw, B grade raw to pasteurization plants, A and B pasteurized and certified pasteurized.

ARTICLE 5

Vital Statistics

5130. Bureau of vital statistics.

5131. State registrar.

5132. Registration districts.

5133. Local registrar.

5134. Copies of record.

5135. Penalty for violations.

§ 5130. Bureau of vital statistics.—The state board of health shall establish a bureau of vital statistics and provide an adequate system for the registration of births and deaths by formulating, promulgating and enforcing rules and regulations prescribing the method and form of making such registration.

1932 Code, § 5130; Civ. C. '22, § 2393; Civ. C. '12, § 1596; Ex. 1914 (29) 24.

Rules and regulations of the state board of health relating to vital statistics—see Rules and Regulations of the state board of health under § 5002.

§ 5131. State registrar of vital statistics.—The secretary of the state board of health shall be the state registrar of vital statistics, and it shall be his duty to carry into effect the rules, regulations and orders of the state board of health. The board shall provide suitable apartments properly equipped with fireproof vaults and filing cases, for the permanent preservation of all official records.

1932 Code, § 5131; Civ. C. '22, § 2394; Ex. 1914 (29) 24.

§ 5132. Registration districts.—For the purposes of this article the state registrar shall divide the State into registration districts, defining and designating the boundaries thereof and appointing local registrars in each district.

1932 Code, § 5132; Civ. C. '22, § 2395; Ex. 1914 (29) 24.

§ 5133. Local registrar—compensation.—Each local registrar shall be paid the sum of twenty-five cents for each birth certificate properly and completely made out and registered with him, correctly recorded and promptly returned by him to the state registrar, as required by the rules and regulations. And in case no births or no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of twenty-five cents for each report to that effect, but only if promptly made in accordance with the rules and regulations. All amounts payable to the registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon certification by the state registrar. And the state registrar shall annually certify to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars, and the amount due each at the rates fixed therein: *provided*, that in cities of over fifty thousand inhabitants that each local registrar shall be paid ten cents.

1932 Code, § 5133; Civ. C. '22, § 2396; Ex. 1914 (29) 24; 1917 (30) 329.

§ 5134. State registrar to furnish copy of record—compensation.—The state registrar shall, upon request, furnish any applicant a certified copy of the record of any birth or death registered under the provision of this article, for the making and certification of which he shall be entitled to a fee of fifty cents, to be paid by the applicant, and any such copy of the record of a birth or death, when properly certified by the state registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the state registrar shall be entitled to a fee of fifty cents for each hour or fractional part of an hour of time of search, to be paid by the applicant. And the state registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the same over to the state treasurer each month. *Provided*, that all birth certificates furnished by any department of government for a man called from this State for service in the military service of the United States, shall be so furnished without any charge whatsoever.

1932 Code, § 5134; Civ. C. '22, § 2397; Ex. 1914 (29) 24; 1941 (42) 245.

§ 5135. Penalties.—Any person, firm or corporation who shall violate any rule, regulation or order of the state board of health relative to recording, reporting or filing information for the bureau of vital statistics, or who shall wilfully neglect or refuse to perform any necessary or reasonable duties imposed upon them by said orders, or who shall furnish false information for the purpose of making incorrect records for said bureau, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five dollars nor more than one hundred dollars, or be imprisoned in the county jail not exceeding thirty days, or suffer both fine and punishment, in the discretion of the court.

1932 Code, § 5135; Civ. C. '22, § 2398; Cr. C. '22, § 447; Ex. 1914 (29) 24.

VITAL STATISTICS

Section 1. Arrangement of registration districts.—That for the purpose of these rules and regulations, the State shall be divided into registration districts, as follows: Every city, town and township shall constitute a registration district; *provided*, that the state registrar may combine two or more registration districts into one registration district.

Section 2. Appointment of registrars.—The state registrar shall appoint local registrars. Any local registrar who fails or neglects to discharge efficiently the duties of his office as laid down in these rules and regulations, or who fails to make prompt and complete returns of births and deaths, as required thereby, shall be forthwith removed from his office of registrar by the state board of health, and his successor appointed, in addition to any other penalties that may be imposed under other sections hereof for failure or neglect to perform his duty.

Section 3. Deputy and sub-registrars.—Each local registrar shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness or disability, who shall, in writing, accept such appointment, and who shall be subject to all rules and regulations governing local registrars. And when it may appear necessary for the convenience of the people in any township, the local registrar shall, upon the request of the state registrar, appoint one or more suitable persons to act as sub-registrar, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated; and each sub-registrar shall note, over his signature, the date on which each certificate was filed, and shall forward all certificates to the local registrar of the district within ten days, and in all cases before the third day of the following month. *Provided*, that all sub-registrars shall be subject to the supervision and control of the state registrar and may be by him removed for neglect or failure to perform their usual duties in accordance with the provisions of the rules and regulations of the state registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

DEATH CERTIFICATES

Section 4. No body to be buried or removed without permit--The body of any person whose death occurs in the State, shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of, or removed from or into any registration district or be held pending further disposition more than seventy-two hours after death, until a permit for burial, removal or other disposition thereof shall have been properly issued by the local registrar, sub-registrar (or his deputy) of the registration district in which the death occurred.

Section 5. Certificates in "sparsely settled" districts--In sparsely settled districts, or when it is impracticable to file a death certificate and obtain a burial or removal permit, a body may be buried or removed from such district without a permit, but a certificate of death shall be filed with the registrar within ten days.

Section 6. Bodies brought into the State--No such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided, except as above set forth. When a dead body is brought into the State for burial, the transit permit which accompanies such body shall be filed with the local registrar of the district where burial or other disposition of which takes place; and the registrar shall note date and place of burial of such permit; and forward same to the state registrar. No fee shall be required for the issue of burial or removal permits in this State.

Section 7. Still-births reported as births and deaths--Still-born children and those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "still-birth". The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state cause of death as "still-born", with the cause of the still birth, if known, whether a premature birth, and if born prematurely, the period of uterine gestation, in months, if known; and a burial or removal permit in the usual form shall be required. Midwives shall not sign certificates of death for still-born children; but such cases, and still-births occurring without attendance of either physician or midwife, shall be treated as deaths without medical attention or attendance, as provided for in section 9 of these regulations.

Section 8. Contents of death certificates--The certificate of death shall be of the United States standard form as approved by the bureau of census, and shall contain the following items:

(1) Place of death, including State, county, township, city, the ward, street and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race, as white, black (negro or negro descent), Italian, Chinese, Japanese, or other.

(5) Conjugal conditions, as single, married, widowed or divorced.

(6) Date of birth (month, day, and year).

(6a) Name of husband or maiden name of wife.

(7) Age, years, months, days. If less than one day, hours or minutes.

(8) Specific occupation of any person who had any remunerative employment, women as well as men. Use such terms as bookkeeper, lawyer, spinner, farmer, garage mechanic, minister.

(9) General nature of industry, business such as grocery store, sawmill, textile, (cotton) or silk mill, own farm (or tenant farmer), Smith's Garage, Grace Methodist Church.

(10) Date (month, day and year), the deceased last worked in this occupation.

(11) Total time (years) spent in this occupation.

(12) Birthplace (city, town or county and State or country).

(13) Name of father.

(14) Birthplace of father (city, town or county and State or country).

(15) Maiden name of mother.

(16) Birthplace of mother (city, town or county and State or country).

(17) Name and address of informant.

(18) Place and date of burial or removal.

(19) Name and address of undertaker.

(20) Date of filing and official signature of local registrar.

(21) Month, day and year of death.

(22) Statement of medical attendance on decedent, fact and time of death, duration of attendance, time last seen alive and the primary cause of death with contributory (secondary) cause or complication, if any, and duration of each; state-

ment of relationship or influence, if any, of pregnancy, giving qualifying explanation, name and date of operation, if any; diagnostic confirmation, if any; post mortem, if any, to be indicated.

(23) Statement concerning violent deaths or those due to external causes, specifying how death occurred, date and place of injury, whether in home, public street or highway. The manner and nature of injury is also to be given.

(24) Statement of relation, if any, of injury to occupation of deceased.

(25) Signature and address of attending physician.

How the certificate is to be signed--The personal and statistical particulars (items 1 to 18) shall give the name and address of the informant who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

What physician must certify--The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive and the hour of the day at which death occurred. And he shall further state cause of death, so as to show the cause of the disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause), and the contributory (secondary) cause or causes, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit; and any certificate containing such terms, as defined by the state registrar, shall be returned to the physician for correction and more definite statement. Causes of death, which may be the result of either disease or violence, shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, homicidal. And in deaths in hospitals, institutions, or of nonresidents, the physician shall furnish the information required under this head and may state where, in his opinion, the disease was contracted.

Section 9. Certificates for deaths without physician's attendance--In case of death occurring without medical attendance, it shall be the duty of the undertaker or other person acting as such, to notify the local registrar of such death, and when so notified the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts. If the death is caused by unlawful or suspicious means, the registrar shall then refer the case to the coroner for his investigation and certification. Any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for burial permits, shall state in his certificate the name of the disease causing death, or if from external causes, (1) the means of death; (2) whether (probably) accidental, suicidal or homicidal; and shall in either case furnish such information as may be required by the state registrar in order properly to classify the death.

Section 10. Duties of undertaker--The undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local registrar of the district in which the death occurs, and for securing a burial or removal permit, prior to any disposition of the body, except as otherwise provided herein. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, giving the name and addresses of his informant. He shall then present the certificate to the attendant physician, if any, or to the health officer, or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in sections 7 and 8. And he shall then state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the local registrar in order to obtain a permit for burial, removal or other disposition of the body.

Section 11. Disposition of burial permit--The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring or otherwise disposing of the body; or he shall dispose of the transit permit as provided by law for the transportation of corpses in this State when shipped by a transportation company; said permit to accompany the corpse to its desired destination, and if the burial shall take place within the State of South Carolina, the permit shall be delivered to the sexton or other person in charge of the place of burial.

Section 12. Regulations governing transportation of dead in South Carolina--The use of the separate transit permit discontinued herewith and the combination burial-removal-transit permit is to be used therefor. Such burial-removal-transit permit shall be given interstate recognition. Permit to be attached to case: A burial-transit permit shall be attached in a strong envelope to the shipping case when a body is to be transported by common carrier. Any body to be shipped by common carrier shall be embalmed if its condition permits. If embalming is not possible, or

if the body is in a state of decomposition, it shall be shipped only after enclosure in a strong tightly sealed outer case.

Section 13. Permit for burial within the State--If the interment or other disposition of the body is to be made within the State, the wording of the burial permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or otherwise dispose of the deceased, stating the name, age, sex, cause of death and other necessary details, upon the form prescribed by the state registrar.

Section 14. Duties of sextons--Each sexton or person in charge of any burial ground shall indorse upon the permit the date of interment over his signature, and shall return all permits so endorsed to the local registrar of his district within ten days from date of interment, or within the time fixed by the state board of health. Every sexton of a public cemetery shall keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial and name and address of the undertaker or person acting as such. Where there is no sexton or person in charge of cemetery or burial ground, the undertaker, or person in charge of burial ground, the undertaker, or person in charge of burial, shall write across face of permit "no person in charge."

BIRTH CERTIFICATES

Section 15. Duties of physicians and midwives--It shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars required hereby, with the local registrar of the district in which the birth occurs, within ten days after date of birth.

Section 16. Report where there is no physician or midwife--If there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, to notify the local registrar, within ten days after birth, of the fact that the birth had occurred. It shall then be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth.

Section 17. Filing of birth certificates subsequent to the death of the attending physician or midwife--The state registrar is hereby empowered to accept birth certificates that are not filed within the prescribed ten days as previously provided for, and when the physicians or midwives who attended the births die prior to filing such certificates, provided the following requirements are met:

Certificates are to be made out in the prescribed manner and signed by one of the parents on the line ordinarily used by the physician. After the signature the word father or mother, as the case may be, is written. Two affidavits are to be filled out and signed by as many people, other than the parents. The affidavits will set forth the facts that the affiant is at least 12 years older than the child in question, and has known the mother of the child for at least five years prior to the occurrence of the birth, and that he (or she) knows the child in question to have been born to the said mother at the place indicated and on or about the date indicated.

Such affidavits must be signed before a notary public or other officer qualified to administer oaths, and will bear his (or her) seal. The certificate with the two affidavits will then be filed with the state registrar as the original record of birth.

Section 18. Contents of birth certificates--The certificates of birth shall contain the following items:

1. Place of birth, including State, county, magisterial district, town, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same shall be given, instead of street and house number.

2. Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by the supplemental report, as hereinafter provided.

3. Sex of child.

4. Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in cases of plural births, giving number of child, in order of birth.

5. Whether legitimate or illegitimate.

6. Full name of father, except for illegitimate children.

7. Residence of father.

8. Color or race of father.

9. Birthplace of father; State or foreign country.

10. Age of father at last birthday, in years.

11. Occupation of father.

12. Maiden name of mother.
13. Residence of mother.
14. Color or race of mother.
15. Birthplace of mother; State or foreign country.
16. Age of mother at last birthday, in years.
17. Occupation of mother.
18. Number of child of this mother, and number of children of this mother now living.

19. Born at full term?

20. The certificate of attending physician or midwife as to attendance at birth including statement of year, month, day and hour of birth, and whether the child was alive or dead at birth. The certificate of physician, midwife or other attendant as to kind of prophylactic instilled into the babies eyes as well as the hour at which such instillation was made as provided for by section 5043-1 of the Code of 1942. This certificate shall be signed by the attending physician or midwife, with the date of signature and address. If there is no physician or midwife in attendance, then the mother or father of the child, householder or owner of the premises, or manager or superintendent of public or private institution, or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section 15 of these regulations.

21. Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

Section 19. How certificates to be written--All certificates, either of birth or death, shall be written legibly in unfading black ink, and no certificate shall be held to be complete and correct that does not supply all the items of information called for herein, or satisfactorily account for their omission.

Section 22. Unnamed children--supplemental reports--When any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named.

Section 21. Reports of persons now in institutions--All superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement, or are committed by process of law, are hereby required to make a record of all of the personal and statistical particulars relative to the inmates in their institutions at the date of the approval hereof, that are required in the forms of the certificate provided for hereby, as directed by the state registrar; and hereafter such records shall be, by them, made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so; and when they cannot be obtained, they shall be secured in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

Section 22. State registrar to provide forms--The state registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording and preserving the returns, or in otherwise carrying out the purpose hereof; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the state registrar.

Section 23. Binding of permanent records, etc.--He shall further arrange, bind and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; the cards to show the name of child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all registrars what diseases are to be considered as infectious, contagious, or communicable or dangerous to the public health, in order that when death occurs from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases.

Section 24. Other duties of state registrar--He shall carefully examine these certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants or undertakers, and all other persons having knowledge of the facts, are hereby required to furnish such information as they may possess

regarding any birth or death, upon demand of the state registrar, in person, by mail, or through the local registrar.

Section 25. Duties of local registrars--It shall be the duty of the local registrar to supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record, to see that it has been made out in accordance with the provisions hereof, and the instructions of the state registrar, and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the returns, and to withhold issuing the burial or removal permit until they are corrected or satisfactorily explained. If the certificate of death is executed as herein provided, he shall then issue a burial or removal permit; *provided*, that in case the death occurred from some disease that is held by the state board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the registrar, except under such conditions as may be prescribed by law. If a certificate of birth is incomplete, he shall immediately notify the informant, and require him to supply the missing items if they can be obtained.

Section 26. Numbering of certificates--He shall then number consecutively the certificates of birth and death, in two separate series, beginning with the number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office.

Section 27. To file copy of records with clerk--He shall also make a complete and accurate copy of each birth and death certificate registered by him in a record book supplied by the state registrar, and the local registrar of every district located in any county shall, within fifteen days after the end of each calendar year, transmit such record book to the county clerk's office of his county and shall take a receipt from the clerk thereof, which receipt shall be transmitted to the state registrar. Said record book shall be preserved by the clerk as a permanent record.

Section 28. When certificate to be filed--The local registrar shall, on the tenth day of each month, transmit to the state registrar all original certificates, registered by him, during the preceding month. And if no births or deaths occur in any month, he shall, on the tenth day of the following month, report that fact to the state registrar on a card provided for that purpose.

Section 29. Powers of state registrar in case of violations of law--The state registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and with supervisory power over local registrars, to the end that all its requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law personally, or by an accredited representative, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary, he shall report cases of violation of any of the provisions hereof to the magistrate, with a statement of the facts and circumstances; and when any such case is reported to him by the state registrar, the magistrate shall forthwith initiate and promptly follow up the necessary court proceedings against the persons responsible for the alleged violation of law.

§ 6726-1. Misdemeanor to violate quarantine regulations.—All masters of vessels, or other persons, violating the provisions of the quarantine laws of this State, or disobeying any of the published regulations of the health authorities of any port, and all persons whoever, who shall, without permission of said authorities, invade the quarantine grounds or station of such port, or who shall hold any communication, or attempt to hold any communication, with any vessel, or any officer, or any passenger, or member of the crew of any vessel lying at the quarantine, or under control of the said authorities, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding two thousand dollars, or by imprisonment not exceeding twelve months, or both, in the discretion of the court.

1932 Code, § 1481; Cr. C. '22, § 425; Cr. C. '12, § 432; Cr. C. '02, § 323; G. S. 969; R. S. 269; 1881 (17) 597.

§ 6726-2. Masters of vessels neglecting or refusing to obey certain regulations.—Every master of a vessel subject to quarantine or visitation of the health officer, arrived in any of the ports of this State, who shall refuse or neglect to proceed with and anchor his vessel at the place

assigned for quarantine; or to submit his vessel, cargo and passengers to the examination of the health officer, and to furnish all necessary information to enable that officer to determine to what length of quarantine and other regulations they ought, respectively to be subject; or to remain with his vessel at quarantine during the period assigned for the quarantine, and while at quarantine to comply with the directions and regulations prescribed by law shall be guilty of a misdemeanor, and be punished by fine not exceeding two thousand dollars, or by imprisonment not exceeding twelve months, or by both such fine and imprisonment.

1932 Code, § 1482; Cr. C. '22, § 426; Cr. C. '12, § 433; Cr. C. '02, § 324; G. S. 974; R. S. 270; 1868 (14) 116.

§ 6726-3. Masters of vessels giving false information to pilots, etc.—If a master of any vessel hailed by a pilot shall give false information to such pilot relative to the condition of his vessel, crew, or passengers, or of the health of the places from whence he came, or refuse to give such information as shall be lawfully required; or land any person from his vessel, or permit any person except a pilot to come on board of his vessel; or unload or transship any portion of his cargo before his vessel shall have been visited and examined by the health officer; or shall approach with his vessel nearer to the wharves of any port in this State than to the place of quarantine to which they may be directed, shall be guilty of a like offense, and subject to the like punishment, as in the preceding section.

1932 Code, § 1483; Cr. C. '22, § 427; Cr. C. '12, § 434; Cr. C. '02, § 325; G. S. 975; R. S. 271; 1868 (14) 117.

§ 6726-4. Penalty for landing vessel or unloading, etc.—Any person who shall land from any vessel, or unload or transship any portion of her cargo, under the circumstances of the preceding section, shall be guilty of a like offense and subject to a like punishment.

1932 Code, § 1484; Cr. C. '22, § 428; Cr. C. '12, § 435; Cr. C. '02, § 326; G. S. 975; R. S. 272; 1868 (14) 117.

§ 6726-5. Penalty for violating quarantine laws or disobeying health officers.—Any person who shall violate the provisions of the quarantine laws of this State, or neglect or refuse to comply with the directions or regulations which any of the health officers may prescribe, shall be guilty of the like offense, and be subject for each offense to the like punishment.

1932 Code, § 1485; Cr. C. '22, § 429; Cr. C. '12, § 436; Cr. C. '02, § 327; G. S. 976; R. S. 273; 1868 (14) 117.

§ 6726-6. Penalty for pilot or other person for violating the quarantine laws.—Every pilot or other person who shall bring, or attempt to bring or cause to be brought, into any port of this State any vessel, or the whole or any part of the crew, passengers or cargo, beyond the places appointed for her examination, without such vessel being examined according to law, shall forfeit any pay, the one-half to the use of the State and the other half to use of such person as shall sue for the same, the sum of five hundred dollars; and the pilot shall, moreover, be deprived of his branch as a pilot: *provided*, that nothing herein contained shall apply to persons who may be shipwrecked.

1932 Code, § 1486; Cr. C. '22, § 430; Cr. C. '12, § 437; Cr. C. '02, § 328; G. S. 979; R. S. 274; 1784 (4) 615; 1809 (5) 598; 1832 (6) 473.

§ 6726-7. Fines and forfeitures—how recovered.—All fines and forfeitures and penalties provided by the laws of the State for the violation of the quarantine laws, or disobedience of the orders of the Governor establishing

quarantine regulations, shall be recovered by indictment in a court of general sessions; and all persons offending against the same, upon conviction, shall be liable to imprisonment not exceeding twelve months, in addition to such fines, forfeitures and penalties.

1932 Code, § 1487; Cr. C. '22, § 431; Cr. C. '12, § 438; Cr. C. '02, § 329; G. S. 983; R. S. 275; 1832(6) 473.

§ 7234. Regulate hotels, cafes, etc.—Full power and authority is hereby given to and vested in all towns and cities in this State to provide by ordinances such rules and regulations regarding the conduct and operation of markets, hotels, restaurants, cafes and lunch counters therein, so as to provide for the public health, comfort and convenience; and when such rules and regulations have been established to provide by ordinance for the punishment of all offenders against the same, within the limits now provided by law: *provided*, that should there be a board of health in such town or city, its approval shall first be obtained.

1932 Code, § 7234; Civ. C. '22, § 4389; 1917 (30) 46.

§ 7442. Powers of council—borrow.—The said council shall have full power to abate all nuisances within the corporate limits of said city or town, to appoint a board of health for said city, and pass all such ordinances as may be necessary to define the duties of said board. Said council shall have power to borrow money for corporate purposes and to issue from time to time, as occasion may require, bonds of the corporation for the payment of the principal, for which said city shall be at all times liable: *provided*, the property of the inhabitants of said city or town shall be bound for the payment of any sum so borrowed, and the interest thereon, in no other way than by the imposition of an annual tax: *provided, further*, that no such bonded debt shall in any instance exceed the maximum limits prescribed in the Constitution of this State, and that no bonded debt shall be created or increased except upon the vote of the citizens of the municipality as provided in the Constitution: *provided, further*, that in the anticipation of the collection of taxes in any fiscal year said city or town council, whether such city or town be chartered by special act of the General Assembly, or under the general law, may from time to time, as occasion may require, borrow money for corporate purposes on its note or notes, and pledge the taxes or business licenses levied, or to be levied, in said year for corporate purposes, for the payment of such note or notes and the discount or interest thereon, and such note or notes, it is hereby authorized to discount generally, if desired, without responsibility to the person or corporation advancing money on said security, to see to the application of the funds realized thereon.

1932 Code, § 7442; Civ. C. '22, § 4554; Civ. C. '12, § 2955; Civ. C. '02, § 1989; 1896 (22) 67; 1901 (23) 649; 1908 (25) 1017; 1909 (26) 80; 1910 (26) 623; 1939 (41) 237.

INDEX

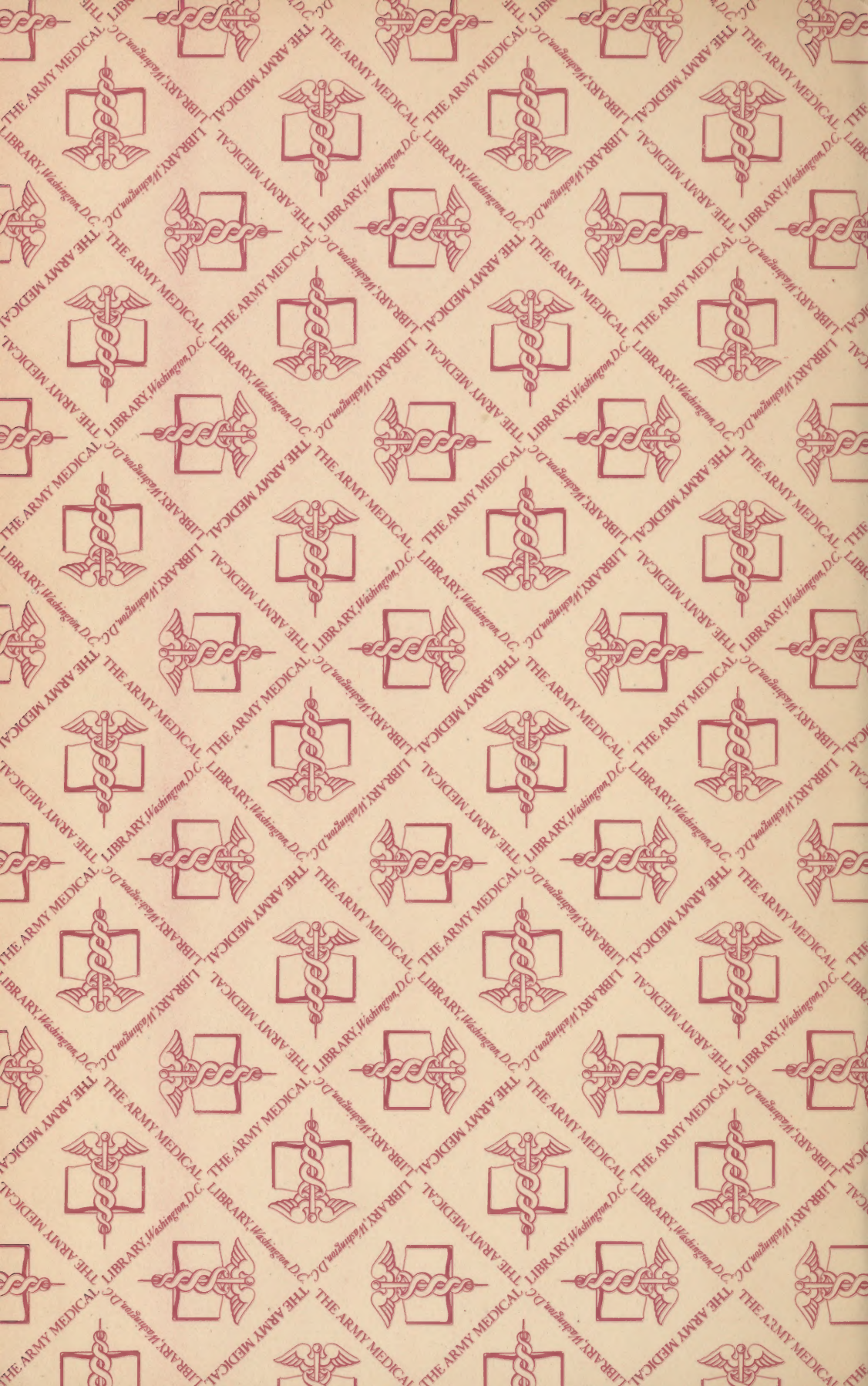
	PAGE	SECTION
Appropriations for, expenditures	4	3204
Bedding	90-94	5057-11 to 5057-22
(Also see rules and regulations page 94)		
Boards for cities and towns:		
Appointment	46	5015
Closing of schools, epidemics	48	5021
Communication with state board	50	5023
Compensation of members	46	5015
Duty to aid municipality	50	5024
Establishment of hospitals	47	5017
Fees, disposition	47	5016
Health officer	47	5016
Inapplicable to Charleston	50	5023
Inspection public buildings	48	5020, 5021
Meetings	49	5022
Members bond	47	5016
Oath and salary	47	5016
Physicians	47	5018
Powers	48	5019
Removal or abatement of nuisances	51	5025
Report to council	50	5023
Rules and regulations	47-62	5016-5021, 5022, 5047-5049
Secretary	47	5016
Special provisions, certain cities	46	5015
Term	46	5015
Vacancies	46	5015
Boards for unincorporated towns, villages:		
Appointment by state board	52	5029 (1)
Organization	52	5029 (2)
Penalties	53	5029 (4)
Powers and duties	53	5029 (3)
President	52	5029 (2)
Secretary	52	5029 (2)
Cancer:		
Promotion of prevention and care	42	5008
City health officers		
Establishment of hospitals	47	5016
Reports by physician	53	5017
State board, report to	53	5031
County board of health:		
Cherokee county	71	5055-9
Dorchester county	73	5056-3
Florence county	75	5056-5
Spartanburg county	84	5057-3
County health officer:		
Greenville county	78	5056-7, 5056-7 (3)
Spartanburg county	84	5057-3
Dead bodies, transportation		
Dogs, inoculation of for rabies	61	5046
Greenville county	5	3424
Richland	6	3425
Epidemic, investigation by state board	8, 9	4998-5001
Garbage, containers, cities 2,700 to 3,500	67	5052-1
Greenville	79	5056-8
Richland	84	5057-2
Health districts	8	5000
Health officers:		
Assisting state health officer	45	5011
Reports to state board	8	4998
Reports on quarantine	41	5003
Hotels and restaurants	104-108	5097 to 5123-1
Infants:		
Diseased eyes, report to state board	56	5043
Instilling prophylatic, newborn babies	56	5043-1
Local board:		
Cities and towns over 1,000	158	7442

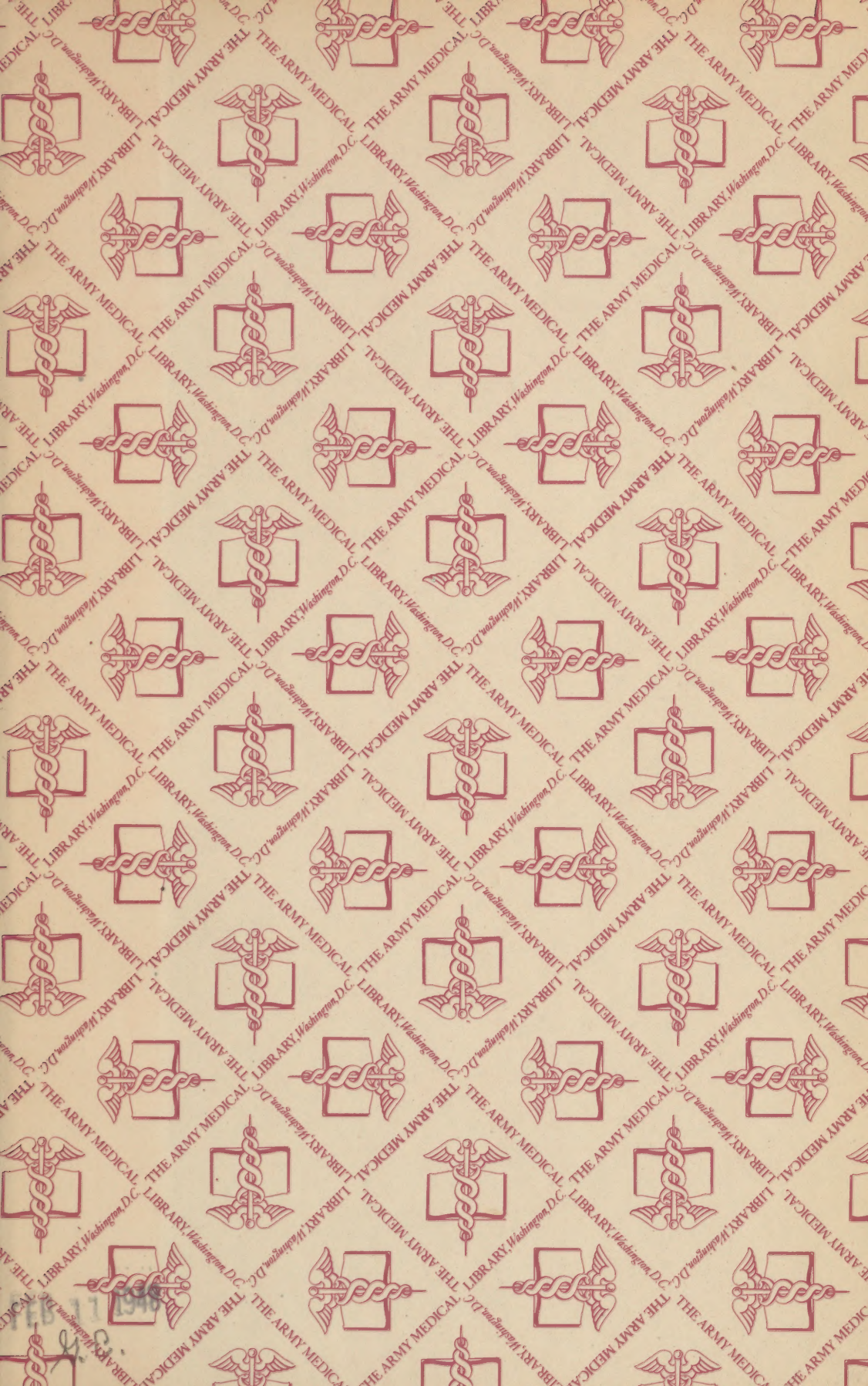
Control by state board	8	5000
Duty to aid municipal authorities	50	5024
Incorporated cities, towns	46-50, 62	5015-5021, 5022-5023, 5047-5049
Members, removal by state board	41	5006
Municipal corporations to maintain	51	5027
Neglect of duty	53	5031
Neglect of duty, violations	52	5028-1
Outside incorporated towns, cities	53	5030
Quarantine, duties	51	5027-1
Removal or abatement of nuisances, etc.	51	5025
Report marriages, births, deaths	51	5026
Secretary, reports to state board	41	5006
Supervision by state board	41	5006
Unincorporated towns and villages	52	5029 (1)-5029 (4)
Milk and milk products	133-141	5129 to 5129-15
Municipal corporations:		
Boards in incorporated cities, towns.....	46-50, 62	5015-5021, 5022-5023, 5047-5049
Boards in unincorporated towns, villages	52	5029 (1)-5029 (4)
Boards outside incorporated cities, towns.....	53	5030
Hotels, etc., regulation	158	7234
Vaccination	55-56	5037, 5038, 5039, 5041
Visitations by state health officer	46	5013
Penalties:		
For violation of Code sections		5028-1, 5036, 5042, 5044-5, 5049-1, 5053 (3), 5055-7 (5), 5056-7 (3), 5056-8 (4), 5056-10, 5056-11, 5057-2 (4), 5057-3 (7), 5057-21, 5122, 5123-7, 5128-19, 5129-12 (3), 5129-15 (5), 5135, 6726-6.
For violation of Rules and Regulations	40	5002-1
Privies	63	5050
Quarantine of vessels	95-103	5058-5096
Quarantine for Diseases. (See Diseases under Rules and Regulations).		
Quarantine:		
Control by state board	41	5003
Duties of local boards	51	5027-1
Establishment by state board	8, 54	4998, 5033
Infectious diseases outside of towns	52	5028
Livestock, cooperation with federal govt.....	41	5005
Masters of vessels, violations	156-157	6726-1 to 6726-6
Rabies	5	3424
In Greenville county	6	3425
Registration of vital statistics	42	5007
Restaurants and hotels	104-109	5097 to 5123-1
Road houses and tourist camps	115-116	5123-1 to 5123-7
Rules and Regulations:		
Abattoirs	39	5002
Authority to make and enforce		5002, 5039, 5044-4, 5135
Bathing Places	28	5002
Bedding	94	5057-22
Bus Stations	10	5002
Camp Meetings	38	5002
Camps	11	5002
Camps, Trailer	116	5123-7
Canneries	19	5002
Carroting	18	5002
Communicable Diseases	12	5002
Crabmeat	23	5002
Dairies	141	5129-15
Diseases, Communicable	12	5002
Industrial	16	5002
Venereal	58	5044-5
Fairs	38	5002
Hotels	108	5123
Industrial Plants	16	5002
Impounded Waters	25	5002
Jails	18	5002
Lobster	23	5002

Meat Markets	19	5002
Midwives	38	5002
Milk	141	5129-15
Mercantile Plants	27	5002
Miscellaneous Regulations	27	5002
Mosquito Control, Impounded Waters	25	5002
Nuisances Defined	27	5002
Oyster Shucking	22	5002
Pasteurization	141	5129-15
Penal Institutions	18	5002
Penalty, Violation Regulations	40	5002-1
Privies, Pit	64	5050
Promulgation of Rules	3	2118-3
(See also authority to make and enforce).		
Purification, Water	87	5057-4
Quarantine (See Diseases.)		
Railroads	31	5002
Restaurants	112	5123
Schools	27	5002
Septic Tanks	86	5057-4
Sewage Treatment	86	5057-4
Sewer Systems	86	5057-4
Slaughter Houses	39	5002
Shellfish Handling	21	5002
Shrimp	23	5002
Springs	65	5050
Statistics, Vital	151	5135
Swimming Pools	28	5002
Tourist Camps	116	5123-7
Trailer Camps	116	5123-7
Veneral Diseases	58	5044-5
Violation	40	5002-1
Vital Statistics	151	5135
Penalty for violation	151	5135
Waters, Impounded	25	5002
Water Supply Plants	87	5057-4
Wells	65	5050
Rules and Regulations of Department of Agriculture	132	5128-27 (5)
Sanitary inspectors:		
Appointment	101	5085
Duties and powers	102	5086
Expenses	102	5087
Schools: (See rules and regulations index)		
Closing during epidemic	48	5021
Inspection by board of health	48	5021
State board:		
Analysis of water supply	62	5047-5049
Cancer prevention and care	42	5008
Composition	8	4997
Condemnation power	9	5002
County fair exhibits	4-5	3247, 3248, 3249
Epidemics, investigation	9	5001
Executive committee:		
Appointment	8	4999
Appointment of local boards	52	5029 (1)
Chairman	8	5000
Composition	8	4999
Control over local boards	8	5000
Powers	8	4999
Removal of members	8	4999
Reports to, marriages, deaths, births	51	5026
Secretary	8	5000
State health officer to be secretary	46	5014
Sub-boards of health, establishment	8	5000
Vacancies	8	4999
Foods, drugs, etc.:		
Lists of examined articles	118	5125
Rules and regulations, duty to make	118	5124, 5128

Inspection of foods, drugs, etc.	118	5124
Inspection of state institutions	8, 9	4998, 5001
Local boards, supervision over	41	5006
Members, appointment by governor	4	3094
Offensive odors, abatement	9	5002
Privies, inspection of	63	5050
(See rules and regulations index)		
Quarantine:		
Establishment of	8	4998
Supervision of	41	5003
Report to general assembly	8	4998
Restrictions and regulations on railways, navigation companies, etc.	45	5012
Rights and duties in general	8	4998
Sanitary closets in mill villages	65	5051
Secretary, registrar of vital statistics	150	5131
Sewer systems of textile communities	65	5051-5052
Vaccination, enforcement	41	5004
Vaccination in municipal corporations	55	5038, 5039
State health officer:		
Appointment, bond, etc.	45	5010
Powers and duties	45	5011
Secretary and exec. officer of state board	45	5011
Secretary of executive committee	46	5014
Sheriffs, constables, etc., to assist	45	5011
Term	45	5010
Visitation, investigation municipalities	46	5013
State institutions, sterilization of patients	42	5009
Sterilization	42	5009
Sub-boards of health, establishment	8	5000
Tourists camps	115-116	5123 to 5123-7
(See rules and regulations)		
Tuberculosis:		
Hotels, fumigation, airing of rooms	106	5110
Prisoners	60	5045
Vaccination:		
Children, duty of parent, guardian	56	5041
Enforcement by state board	41	5004
Failure or refusal to comply	56	5042
General supervision by state board	55	5038
Municipal corporations	55-56	5037-5040
Ordinances by municipal corporations	55	5037
Passengers on board infected ships	97	5066
Pupils	56	5040
Rules and regulations, duty to make	55	5038
School pupils	56	5040
Violations	56	5042
Venereal diseases: (See rules and regulations index)		
Clinics in Greenville county	80	5056-9
Diseases, designated as	57	5044
Examinations of persons suspected	57	5044-2
Exposure of others to infection	57	5044
Inspectors and coordinators	58	5044-5
Isolation of persons infected	57	5044-2
Prisoners, isolation and treatment	57	5044-3
Report for treatment	57	5044-2
Report of case to health authorities	57	5044-1
Rules and regulations	57	5044-4
Treatment	58	5044-5
Violation, penalty	58	5044-5
Violations of rules of state board	40	5002-1
Vital statistics		
Furnishing false information	150	5130
Local registrars	150	5135
Preservation of official records	150	5132, 5133
Record of birth data (persons over 23)	7	5131
Registration districts	150	3622-1
		5132

State registrar	150	5131
Certification births, deaths	150	5133
Certified copies	151	5134
Fees	151	5134
System of registration	42	5007
Violation of rules and regulations	151	5135
Water, analysis by companies	62	5047
Bacteriological examination	62	5047, 5048
Watersheds, inspection of	62	5049





WA 32 AS6 L4p 1944

29220670R



NLM 05133751 5

NATIONAL LIBRARY OF MEDICINE